

MAJORS OF NATIONAL HISTORY

Edited by W. H. HUTTON, B.D.

CARDINAL BEAUFORT

L. B. RADFORD, B.D.

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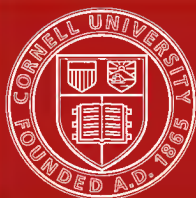
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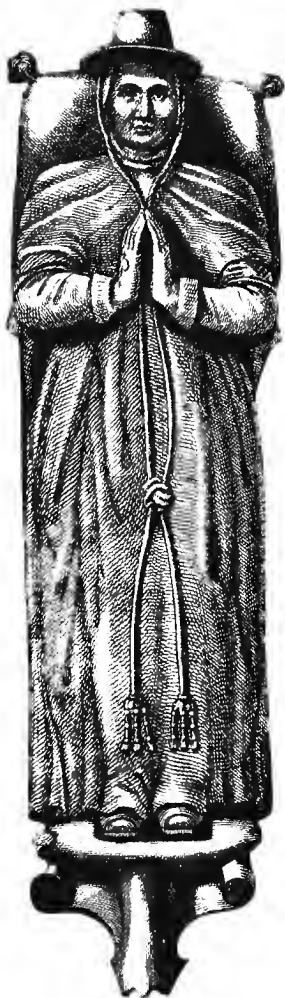
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Makers of National History

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CARDINAL BEAUFORT



CARDINAL BEAUFORT

From a recumbent effigy (late 17th century)
on the tomb in his chantry chapel in
Winchester Cathedral

Photo by W. G. Green

HENRY BEAUFORT

BISHOP, CHANCELLOR,
CARDINAL

BY

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MAKERS OF NATIONAL HISTORY

It is intended in this series to commemorate important men whose share in the making of national history seems to need a more complete record than it has yet received. In some cases the character, the achievements, or the life, have been neglected till modern times ; in most cases new evidence has recently become available ; in all cases a new estimate according to the historical standards of to-day seems to be called for. The aim of the series is to illustrate the importance of individual contributions to national development, in action and in thought. The foreign relations of the country are illustrated, the ecclesiastical position, the evolution of party, the meaning and influence of causes which never succeeded. No narrow limits are assigned. It is hoped to throw light upon English history at many different periods, and perhaps to extend the view to peoples other than our own. It will be attempted to show the value in national life of the many different interests that have employed the service of man.

The authors of the lives are writers who have a special knowledge of the periods to which the subjects of their memoirs belonged.

W. H. HUTTON.

S. JOHN'S COLLEGE, OXFORD,
August, 1908.

AUTHOR'S PREFACE

THIS book is an attempt to do neither more nor less than justice to an Englishman who has not yet received the recognition which is his due. A generation ago Dr. Stubbs in his *Constitutional History of England* reversed the unfavourable verdict upon the character of Henry Beaufort to which the genius of Shakespeare has given an undeserved vitality; and the final estimate of the tribunal of history will probably have but few deductions to make from the tribute paid to Beaufort in that masterly review of the evolution of English government. The plan of that work, however, left room only for a brief and incidental treatment of Beaufort, and that too confined to his statesmanship. "The Cardinal of England" deserves a biography of his own. His public life of nearly half a century was one of the main threads of continuity between three Lancastrian reigns. His activity was an important factor in the course of events at more than one critical stage in the history of England, and perhaps of Europe.

The present volume is an attempt to furnish such a biography. It grew out of a brief sketch of Beaufort written for the Church Historical Society's second series of *Typical English Churchmen*, but in its present form it is based upon a fresh study of the chief authorities for the whole of Beaufort's life. It has been written in the fragments of time left by the primary duties of a parish priest, and under all the difficulties of distance from great

libraries. The setting of the biography has involved the writing of a period of history where the work of acknowledged masters has made it dangerous to be independent and impossible to be original. On the other hand, any adequate record of Beaufort's services requires the presentation of a number of details which it is hard to keep in subordination to the great events and tendencies of his day, and equally hard to condense without loss of interest. The writer is painfully conscious of such defects in this book as are due to these difficulties or to the fragmentary character of his own historical training. Yet he ventures to hope that this monograph, richer perhaps than the necessarily bare story of Beaufort's life in the *Dictionary of National Biography*, but poorer in many respects than the splendid picture which Mr. Vickers has lately given of the cardinal's famous rival, Humphrey Duke of Gloucester, may prove to be a not unworthy memorial of an eminent English churchman and statesman, and incidentally a real, if slender, contribution to the accurate knowledge of true history.

L. B. R.

HOLT, NORFOLK,
August, 1908.

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CARDINAL BEAUFORT

Cardinal Beaufort

CHAPTER I

FROM BOYHOOD TO BISHOPRIC AND CHANCELLORSHIP 1375-1405

HENRY BEAUFORT was the second of four children born of the illicit connexion of John of Gaunt, Duke of Lancaster, with Katharine, daughter of Sir Paon Roelt, a knight of Hainault. Both before and after her own marriage to Sir Hugh Swynford in 1368, Katharine had been governess to Philippa and Elizabeth, the children of the duke and his first wife, Blanche of Lancaster ; and the death of the duchess in 1369 left her in charge of the household. When in 1372 Sir Hugh fell fighting in Aquitaine, his wife was openly recognised as the duke's mistress.¹ In 1371 he had married a second wife, Constance of Castile ; but Katharine was mistress of the situation, tolerated or acknowledged at court, and approached as patroness by boroughs in disfavour. There is no record of the dates of the birth of her children, but the eldest, John, could tilt with success in the lists in 1390, and was probably therefore born about 1373. Henry was a "mere lad" (*admodum puer*) when he became a bishop in 1398, though the expression should perhaps be taken not literally of boyhood but comparatively of a scandalously young bishop. His

Origin and
name.

¹ Armitage-Smith, *John of Gaunt*, pp. 390, 391 ; App. vii, pp. 462, 463.

birth may be placed in 1374 or 1375. Two other children followed: Thomas, afterwards Duke of Exeter, and Joan, whose second husband was Ralph Neville, first Earl of Westmoreland. The surname Beaufort by which they were all known was derived from Beaufort in Artois. A late tradition described Beaufort as their birthplace, but the lordship of Beaufort was lost by John of Gaunt in 1369. The surname was probably chosen because "it would not prejudice the rights of his legitimate heir."¹ Court gossip in the reign of Richard II translated the name to "Fairborn" as "a jesting allusion to the open secret of their birth."²

**Legitima-
tion of the
Beauforts.**

In 1396, two years after the death of the "queen of Castile," John of Gaunt rewarded the faithfulness of his mistress by marrying her at Lincoln. The turn of the children came next. Probably it was for their sake even more than for their mother's that John braved the criticism and the resentment of the ladies at court. He procured from Pope Boniface IX the sanction of his marriage and the recognition of his children; and in February, 1397, the King issued letters patent of legitimation to "our most dear cousins, the noble John the knight, Henry the clerk, Thomas *domicello*,³ and to our beloved the noble Joan Beauford *domicelle*, the most dear relatives of our uncle the noble John, Duke of Lancaster." These letters of legitimation, which were duly confirmed by parliament, were the crowning act of a policy of reconciliation by which Richard secured the support

¹ Armitage-Smith, *John of Gaunt*, pp. 196-199.

² *Ibid.*, pp. 464, 465.

³ The diminutive *domicellus* (almost = "page") was applied to youths of rank not yet old enough for knighthood, *domicella* to girls of similar rank and age. For the patent of legitimation, see *Excerpta Historica*, p. 154.

of John of Gaunt. Relying upon this support the young King, now thirty years of age, proceeded to take a despotic revenge upon the magnates who had over-ridden him ten years before. The Duke of Gloucester died a suspicious death; the Earl of Warwick was banished; the Earl of Arundel was beheaded, and his brother the primate driven from his see. Revenge upon enemies was followed by rewards for friends. Five new dukes were made in a day. John Beaufort, who was made Earl of Somerset on his legitimation, now became Marquis of Dorset and Admiral of England. In March, 1398, "Henry the clerk" was Bishop-elect of Lincoln. The Beauforts were established as favourites of the crown. It remained to be seen whether Richard could retain their confidence or their allegiance.

The record of Henry Beaufort's early history is but fragmentary. The bursar's roll at Peterhouse, Cambridge, notes the receipt of 20s. from Henry Beaufort in 1388-9 for the rent of his room.¹ The accounts of Queen's College, Oxford, include payments in 1390-1 for keys for the provost's chamber and for that of "Bewforth," and "to John, servant of Bewforth, for necessities bought and for his labour upon the vestments" of the college chapel; and in 1392 an entry of "wine for the Lord Duke of Lancaster" points to a visit of the father while the youthful undergraduate was still in residence.²

Education
and early
preferment.

Preferment in the Church came early, while Henry was yet *in statu pupillari*, in minor orders only. Already in 1389 and again in 1391 he was given a prebend at Lincoln, and soon afterwards the wardenship of the free chapel of Tickhill, a Lancastrian estate

¹ *Hist. MSS. Commission*, 1st Rep., p. 78.

² *Ibid.*, ii, 141.

from which his mother was granted an annuity in 1381. The legitimization of 1397 opened the way to further promotion. A papal indult of April, 1397, granted permission for ten years to Henry Beaufort, Dean of Wells, master of arts and student of theology, to hold and farm his deanery and other benefices while he was studying letters at Oxford or some other university.¹ At this stage probably should be placed his reputed residence at "Aken in Almaine" (Aachen or Aix in Germany), where he is said to have studied canon and civil law.² An undated conveyance signed by the president and chapter of Wells speaks of Henry Beaufort, Dean of Wells, as then absent abroad.³

Bishop of
Lincoln.

In February, 1398, John Bokyngham, the old Bishop of Lincoln, was driven from his diocese by an arbitrary exercise of papal authority, and translated to the far poorer see of Lichfield and Coventry. Lincoln was promptly given to "Bewford" by a papal provision granted in answer to the request of the King, who desired to show "his reverence and affection" for his uncle of Lancaster.⁴ Richard's motive was probably twofold. He was as desirous to win the services of the son as to reward and retain the loyalty of the father. Henry was now at least twenty-three, and giving promise already perhaps of the ability which he displayed in later years. Of his character nothing is known beyond the fact that he

¹ *Papal Letters*, v, 26.

² Holinshed, ii, 485. Wylie, *Henry IV*, iii, 263, regards this tradition as a misunderstanding of Froissart's reference to Beaufort's residence "à l'école à Acquessonfort," i.e., Oxford. The university of Aix was at the southern Aix in Provence, and dated from the fifteenth century.

³ *Hist. MSS. Comm.*, iii, 356.

⁴ Walsingham, ii, 228.

had been guilty of a youthful sin which his worst slanderers passed over afterwards in silence. A child was born to him by Alice, daughter of the Earl of Arundel and niece of his subsequent rival, the Archbishop of Canterbury. This child, named Joan after her father's sister, became the wife of Sir Edward Stradling, who was given an appointment in Wales in 1423, and was remembered along with his wife in the Cardinal's will in 1447. It is uncertain whether she was born before or after her father's ordination, but it is certain that there is no trace of licentiousness in his later days, and that no imputation of the kind was ever cast upon his life as an ecclesiastic.

Beaufort was chancellor of the University of Oxford in 1398, but it is not certain how long he held the office. The usual tenure was for two years. Thomas Hendman, however, was chancellor late in 1397. On the other hand, Beaufort was consecrated bishop of Lincoln on July 14th, 1398, and it would have been an anomaly indeed if the chancellorship had been held by the very bishop from whose jurisdiction the university had struggled successfully to set the chancellorship free. In 1395 with the consent of Archbishop Courtenay, a former chancellor of Oxford, a bull had been obtained from Boniface IX exempting the university from episcopal jurisdiction. The bull was repudiated by the faculty of law at Oxford, and in February, 1397, Archbishop Arundel, who was bent upon suppressing the Lollardism of the university, took the side of the jurists. The masters argued in despair that the right of visitation was the privilege of the crown, but the King in council insisted that it belonged to the primate, and nothing but the banishment of Arundel in September, 1397, gave the beaten graduates a respite. It was apparently at this stage

Chancellor
of Oxford

in the conflict that the youthful Dean of Wells became chancellor. The chancellors of Oxford were elected by the university, no longer requiring even confirmation by the Bishops of Lincoln, whose delegates they had been originally. Nothing is known of the circumstances of Beaufort's election, but it is possible that the electors were desirous to have as their representative head a graduate of their own body who was at once a favourite of the crown, an adherent of the party which had triumphed over Arundel and his friends, and a son of the magnate who had great territorial influence in the counties which composed the diocese of Lincoln. On the other hand, Beaufort may have been imposed upon them by the influence of the crown. The whole question is obscure, for the academic conflict was twofold. The defenders of the liberties of the university were largely identical with the adherents of the Wycliffite movement, but whatever Beaufort may have done to awaken the hopes of the champions of academic freedom, he showed no sign in later years of sympathy with Lollardism.¹

Guardian
of Henry of
Monmouth.

Tradition says that Henry of Monmouth, afterwards Henry V, was entrusted to the guardianship of his uncle the chancellor, and resided for a time at Oxford, in a room in a now vanished gateway of Queen's College. The unusual expenditure upon plate and other signs of hospitality in the college accounts for 1398 may be evidence of the residence of the chancellor in his old college or of a visit of his during the residence of his nephew, though some doubt is cast upon this supposition by the fact that

¹ For the visitation controversy see Maxwell Lyte, *Hist. of the Univ. of Oxford*, pp. 291-295; for Arundel and Oxford Lollardism, pp. 277-284.

the lad was only eleven, over-young for an undergraduate even in those days. The association between the two may date from 1398, when the boy's father was driven into exile ; and in that case it was perhaps a precaution of Richard's own guilty anxiety. It may, however, date from the end of 1399, in which case it would be a proof of Henry IV's confidence in his half-brother. Yet it is significant that in 1409 and 1411, when uncle and nephew were associated in political action, the Prince was mediating or fighting on behalf of the liberties of the university, once more threatened by the archbishop ; and it is quite credible that the two were actuated as much by a common attachment to Oxford as by their general opposition to the policy of Arundel.

The consecration of Beaufort to Lincoln in July, 1398, would naturally put an end to his chancellorship. It is improbable that he would retain the chancellorship with the idea of closing the conflict between the university and the diocese by uniting their representatives in his own person. The real conflict now was between chancellor and primate, and Arundel was by this time an exile. A year later came the first great crisis of Beaufort's career. The King was sinning away fast his ill-gotten hold upon the government of the nation. Parliament was practically replaced by a packed council. A personal quarrel between Henry of Lancaster and Mowbray, Duke of Norfolk, two of Richard's recent supporters, was made an excuse for the banishment of both. Finally, when John of Gaunt died broken-hearted in February, 1399, his exiled son was robbed of his birthright by the confiscation of the Lancastrian estates. Meanwhile Bishop Henry had first to bury his father. The chronicler of St. Albans tells with pride the story

Death of
John of
Gaunt.

Return of
Henry of
Lancaster.

of the resting of the duke's body at that monastery on the way to London,—how the Bishop of Lincoln and his widowed mother requested the hospitality of the convent, and how the abbot, fortified by papal decree and royal injunction on behalf of the independence of his house, refused the request until the bishop withdrew his refusal to sign letters of immunity for the convent from the jurisdiction of the see of Lincoln ; how the Bishop of London celebrated mass next morning, and the Bishop of Lincoln, who served, presented costly vestments which had belonged to the duke ; how he thanked the convent for the honour done to his father's body, and promised to be a friend to the convent in proof of his thanks ; and how the whole convent escorted the funeral procession to the gates as it journeyed on its way to St. Paul's for the burial.¹ The zealous scribe was thinking chiefly of the honour of his community ; but the young bishop, amid the last duties to the departed and the problems of episcopal jurisdiction, must have been facing a still greater question of the immediate future. Sooner or later he must choose between the King and the absent son. The choice came more swiftly than men expected. On May 29th Beaufort and two other bishops accompanied Richard to Ireland on his fruitless campaign against a recalcitrant chieftain of Leinster. On July 10th came the news that Henry of Lancaster was back in England, and the North was in arms on his side. John Beaufort, Marquis of Dorset, had been already in correspondence with his half-brother. Henry Beaufort's movements

¹ *Gesta Abbatum Mon. S. Alban*, iii, 438–440. For the duke's will, see Armitage-Smith, pp. 420–436. He bequeathed to Henry Beaufort amongst other things his missal and breviary, once the property of the Black Prince.

are not known, beyond the fact that he landed with Richard at Milford Haven. He may have gone over to Lancaster at once when Richard's army was disbanded by its leaders after the King's flight into Cheshire ; he may have simply waited for the inevitable end. All that is known is that when parliament met in September, 1399, to receive the King's abdication, Henry Beaufort was on Lancaster's side. His motives scarcely need analysis. Twenty-one other prelates and thirty-six temporal peers voted with " l'evesq' de Nicholl " in Henry IV's first parliament in October for the " safe and secret imprisonment " of the King whose despotism had forfeited his crown.¹ But long before this solid vote spoke for the nation, Beaufort's course must have been plain. Lancaster was his brother ; Richard only his cousin, and his brother's enemy.

Promotion
of the
Beauforts.

The part which Henry Beaufort played in the troublous reign of Henry IV was mainly political. In the parliament of 1401 he appears for the first of many times on one of the committees of peers appointed to consider petitions, and in 1402 he was a member of a small advisory council of bishops and barons formed to act in conjunction with the commons at their request. The Beauforts were coming quickly to the front. Henry's eldest sons were mere boys. Practically destitute of friends or ministers of weight, accepted rather than welcomed by the baronage, he turned naturally to his own kinsmen for support. The Beauforts, whose origin left them dependent upon the crown, gladly gave their royal brother what he asked. John Beaufort, reduced to his earldom of Somerset in 1399 for his former support of Richard, was restored to favour and rewarded in 1400 with the

¹ *Rot. Parl.*, iii, 426.

confiscated estates of Owen Glendower, and in 1401 was appointed captain of Calais and chief negotiator with France. In 1402 he was sent to escort the King's daughter Blanche to Cologne for her marriage to the Emperor's son. Late in 1402 John and Henry Beaufort were commissioned to fetch the King's second wife, Joan of Navarre, widow of the Duke of Brittany; and when at last, after a first failure to land in Brittany at all, they succeeded in conveying the queen-elect across to Falmouth, storm-tossed but safe, it was the Bishop of Lincoln who married the royal pair in Winchester Cathedral on February 7th, 1403, old Bishop Wykeham being too infirm to take part in the ceremony. If this marriage was "part of a scheme for strengthening the English interest in France,"¹ it was a failure. Beaufort little dreamed that forty years later he would come to find in the cathedral of Winchester his only solace for the utter failure of a still greater project of English supremacy in France.

The state
of England.

In 1401 Henry had entrusted the chancellorship to Edmund Stafford, Bishop of Exeter, Richard's last chancellor. On February 28th, 1403, Stafford was replaced by the Bishop of Lincoln. On March 2nd the visitation of St. Mary's Hospital in the city was committed to two royal clerks because "the King's brother the chancellor of England, to whom the visitation of the King's hospitals pertained according to his office," was occupied on urgent business. It was indeed an arduous task that lay before the young chancellor. Difficulties were thickening round the King. His position was the precarious position of a practically elective sovereign, and he had to strain every nerve to keep a "sufficient majority of the

¹ Oman, *Polit. Hist. of Engl.*, 1377-1485, p. 174.

nation at his back.”¹ He dealt leniently on the whole with the partisans of the late King, and though the keeper of Pontefract Castle, where the hapless Richard died so mysteriously, was Sir Thomas Swynford, the son of the King’s stepmother Katharine, Henry cannot be charged with personal responsibility for that timely death. He humoured the parliament which was his real master, and he gave a qualified assent or at least a tactful refusal to the demands which the commons made in the direction of parliamentary independence. Arundel and the clergy were conciliated by the anti-Lollard legislation of 1401. Yet in 1402 the first flush of national enthusiasm had died away, and Henry was in sore straits. His invasion of Scotland in 1400 had led to an incessant border warfare. His premature severity turned a feud between Glendower and an English lord-marcher into a war for the national freedom of Wales. His negotiations with France proved barren or humiliating. Meanwhile the financial needs of the crown fell heavily upon every class of the community. Reaction broke at last into disorder. In May, 1402, the bishops and lords in each county, Beaufort amongst them, were commissioned to deal stringently with offenders “who told many lies in divers parts of the realm in taverns and other congregations of the people, preaching among other things that the King had not kept the promises he made at his advent into the realm and at his coronation and in parliaments and councils that the laws and laudable customs of the realm should be conserved.”² Beaufort’s commission as Bishop of Lincoln extended over the counties of Lincoln, Leicester, Buckingham,

¹ Oman, *Polit. Hist. of England*, 1377–1485, p. 154.

² Patent Rolls, 1402, May 11th.

Bedford, Oxford, Huntingdon, Northampton, and Rutland. In July, 1402, he was commissioned along with the chancellor of Oxford to deal with the Welsh students who "assembled nightly in divers unlawful congregations for the purpose of rebellion,"¹ probably encouraged by the defeat of the royal troops in Wales a month before. When parliament met in October, 1402, Bishop Stafford was full of the distress in the country. He tried to make much of the honour implied in the Emperor's invitation to the King to take part in the healing of the papal schism, and of the victory won by the Percies over the Scots at Homildon; but he confessed, "God has inflicted punishments in divers manners upon this realm."

**The
Chancellor
in Council
and in
Parliament.**

Such was the situation that Beaufort had to face early in 1403. While Henry was fighting hard against Glendower and the Percies, Beaufort was hard at work as chancellor in London, where his convenience was met by the assignment of Walthamstow and Old Stratford as places of residence for him. In October the King wrote to thank chancellor and council for sending prompt supplies to the Duke of York, who had succeeded John and Thomas Beaufort in command of the newly recovered fortress of Carmarthen, where a French squadron had come to aid the Welsh. In November Thomas was promoted to the admiralship of the northern fleet. The war was, however, still a serious struggle when the chancellor faced his first parliament on January 14th, 1404. He made his opening speech, contrary to custom, on the first day. "He had no cheering tidings to impart, and so perhaps he sought to get through an awkward duty in a thin house."² His report was

¹ Patent Rolls, 1402, July 18th.

² Ramsay, *Lancaster and York*, i, 69.

certainly discouraging. The recent revolt of the Percies had a plausible pretext in the grievances of the nation. Wales was still stubbornly resisting; hostilities had broken out in France; and money was wanted everywhere. The speaker of the commons roundly asserted that it was not the military activity but the economic mismanagement of the King that was responsible for the national distress; and the commons unfolded an array of complaints to which the King's needs compelled him to assent. Foreigners were to be removed from the King's household, and its expenditure to be reduced, and the King was to publish the names of those ministers who were to form "his great and continual council." The commons pointedly warned the chancellor and the treasurer that if the grievances were not promptly redressed, parliament might be dispersed by news of invasion "or in some other way" and not meet again. Henry's financial integrity has been vindicated; the commons were actuated by "ignorant impatience of all taxation in a time of great national need."¹ A word may be added here in defence of the chancellor. It has been the fashion to deride the political sermons which he like other chancellors preached at the opening of each session of parliament. His texts were often far-fetched and his exegesis forced, but his thesis was mostly sound statesmanship, and, after all, rhetoric is no proof of insincerity. In this parliament he took for his text, "In the multitude of counsellors there is safety," and drew an elaborate picture of the realm as a body in which the right side represented the spiritual estate, the left the temporal, and the limbs the commonalty. The head, he left it

¹ Oman, p. 187.

to be inferred, was the crown.¹ After all allowance made for opportunism in the minister and for ambition in the man, the fact remains that Beaufort stood forth here and again and again as the exponent, if not the author, of a policy of constitutional government which recognised the importance of the co-operation of all estates of the realm as clearly as it vindicated the supremacy of the crown.

“The
Unlearned
Parlia-
ment.”

A new parliament met in October, 1404. The chancellor explained that the summoning of a second parliament within the year was due to the inadequacy of the grants made in April.² The old dangers were still urgent, and France was now afoot against Guienne. This parliament was memorable in two ways. (1) The King directed the sheriffs to return no lawyers. Perhaps it was the lawyers who had been foremost in pressing points of parliamentary privilege as against the crown; perhaps it was their habit of promoting litigation that was partly to blame for their exclusion, which gave rise to the name of “the unlearned parliament.” But the name given by another chronicler, “the lay parliament,” recalls the fact that lawyers and clerks were largely identical as a class,³ though it is hard to see why the King who assented to anti-Lollard legislation should set himself against clerks. In any case, it is uncertain how far the chancellor-bishop was responsible for the insertion of this prohibition in the writs of summons. (2) The second notable feature of this parliament was that the chancellor’s request for further supplies was met by the proposal of the knights of the shires to appropriate clerical revenues for one year to military purposes.

¹ *Rot. Parl.*, iii, 522.

² *Rot. Parl.*, iii, 545.

³ Stubbs, *Const. Hist.*, iii, 46; Ramsay, i, 79 n.

The primate retorted that the knights should have left the alien priories in the hands of the King ; the Bishop of Rochester reminded them that their proposal was a violation of Magna Charta and meant excommunication for its authors ; but the rejection of the proposal was due largely to the opposition of the lay magnates, who were similarly attacked by the commons' petition for the resumption of all crown grants made since 1367. This recurrence of the cry for disendowment was " simply an anti-clerical, not a Wycliffite movement " ¹ ; and the chancellor-bishop doubtless resisted the cry, though no record has been preserved of his reply. But his attitude towards the taxation of the clergy is less easy to discover. Convocation was unwilling to extend its own taxation to the stipendiary clergy (chaplains and other assistant priests), and the archbishop advised the King to bring episcopal pressure to bear upon the case. The bishops had an interview with the chancellor and other officers of the crown, who finally recommended that the letters to the bishops should bear the King's own signet instead of the privy seal. ² But it is not clear whether the chancellor's idea was to make the bishops' pressure upon the clergy effective or to lighten the royal pressure upon the bishops. It is interesting to note here a loan of 2,000 marks from Beaufort to the King in May, 1404, for the equipment of the southern fleet against French raids. A second loan of 2,000 marks followed in October. They were the first of a long series which made the bishop's name a frequent topic in national finance.

Just before the October session William of Wykeham, royal architect, bishop, founder of

Bishop of
Winchester

¹ Oman, p. 191.

² *Proceedings of Privy Council*, i, 100, 101.

colleges, passed away in his eighty-third year. On March 14th, 1405, Beaufort was translated to the rich see of Winchester thus vacated. He had left but little mark upon the diocese of Lincoln during his seven years' episcopate beyond one important *laudum* or award in 1400 which was regarded as a famous precedent. The dean, John Schepye, had been trespassing upon the rights of the chapter, and the canons appealed to the crown; the bishop was commissioned by the King to hear and settle the case, and gave his decision in favour of the chapter.¹ For the Church of England at large he had done nothing but summon one convocation in 1402 and open another in 1404 as the commissary of the primate. His energies were now to find scope in unofficial but influential activity at home and in diplomacy abroad. A fortnight before his formal translation he resigned the chancellorship, which was given into the safe hands of Thomas Langley, an executor of John of Gaunt's will. The idea that his resignation was due to any loss of his royal brother's favour is inconsistent with his promotion to Winchester and with his employment in 1406 and afterwards as an ambassador to treat with France for a truce or a peace and for a marriage between the Prince of Wales and a daughter of the French king. It is more likely that the King relieved him of the chancellorship to set him free for foreign employment. The King's jealousy was of later date; at this stage he seems to have sought in Henry Beaufort a strong man for negotiations which had failed in the weaker hands of his brother John.

Resignation
of the
Chancellor-
ship.

¹ Patent Rolls, 1400, Dec. 2nd; Bradshaw, *Lincoln Cath. Statutes*, Pt. II, pp. 249-255.

CHAPTER II

CONFLICT OF PARTIES

1406-1413

BEAUFORT'S embassy to the French court early in 1406 proved unsuccessful, and he returned to political life at home as a member of the permanent council nominated by the King at the request of the commons. The appointment of this council was in part a relief to an overworked and ailing sovereign, but it was also a victory for a persistent parliament, and the victory was carried a long step further by the promulgation of thirty-one articles to regulate the procedure of King and council. These articles "amounted to a supersession of the royal authority,"¹ and were only robbed of a revolutionary significance by the fact that the councillors were staunch supporters of the King, and by the provision that the arrangement was only to last until the next parliament.

Rivalry of
Arundel
and
Beaufort.

Meanwhile the influence of Beaufort on the council was limited by the prominence of a rival, Archbishop Arundel. In fact the rivalry between the two was one of the chief factors in the history of the rest of the reign. They took part together in the consecration of Chancellor Langley as Bishop of Durham in August, 1406, and of a new Bishop of London in September, and they both lent large sums of money to the King in August. But when on January 30th, 1407, Bishop Langley resigned the chancellorship, disheartened perhaps by the stubborn temper of parliament, it was not Beaufort but Arundel who took

¹ Stubbs, iii, 57.

his place. On February 9th the King confirmed the act by which Richard had legitimised the Beauforts, but with the addition of a clause barring their succession to the crown.¹ The addition was invalid, as the original unfettered grant of legitimation in 1397 had received parliamentary sanction. But it was significant either of hostility on the part of Arundel or of jealousy on the part of the King or of both perhaps in that order. The hostility was doubtless mutual, but apart from the natural envy of rivals its grounds are hard to define. They may have been personal. The archbishop may have resented the scandal of Beaufort's connexion with his niece, or he may have remembered the share of the Beauforts in the execution of his brother the earl in 1397. There may have been political grounds also. Staunchly loyal as the archbishop was to Henry IV, he had yet as leader of the council of 1406 been a party to concessions to the commons which threatened the dignity of the crown. Beaufort and his friends were perhaps more inclined to resent such diminution of royal prerogative. Arundel again "embodied the traditions of the elder baronage";² Beaufort was typical of the new aristocracy of the court party. But the whole situation was intricate. The rivalry between Arundel and Beaufort and the opposition between council and parliament were complicated by the jealousy which divided the royal house itself and set brother against brother and father against son. Practically the last five years of the reign were a strife between two factions—the one headed by the Prince of Wales and the Beauforts, the other by the archbishop and afterwards the King's second son

¹ *Excerpta Hist.*, p. 153.

² Stubbs, iii, 60.

Thomas, though it is hard to say whether it was the Prince who sided first with the Beauforts against Arundel or the Beauforts who took the Prince's side. The King, stricken by disease just as the wars and troubles of his earlier years died down, could only struggle to assert his personality now and again.

(1) The story falls into three sections marked by the tenure of the chancellorship by either party in turn. Arundel was chancellor from January, 1407, to December, 1409. Parliament was again refractory. The speaker criticised the expenditure of the council, and Arundel had to protest that they had worked hard and lent generously, and must resign if their services were not more thankfully recognised. The speaker was Thomas Chaucer, son of the poet and kinsman of the Beauforts, and his criticism of Arundel and the council was probably inspired in part by his connexion with the Bishop of Winchester, who had made him constable of his castle at Taunton in 1406. The commons were friendly enough to the Prince, and gave him a vote of thanks for his services in the Welsh wars. But they were insistent on their rights ; they claimed, and carried their claim, to take the initiative in all grants of money to the crown.

Chancellor-
ship of
Arundel.

The last revolt of the old Earl of Northumberland was crushed in the spring of 1408, and Henry and the archbishop were now free to take a more active interest in "the great European question of the time," the schism between the rival popes, Benedict XIII of Avignon and Gregory XII of Rome. Already in 1401 parliament had urged the King to take steps toward the closing of the breach. In 1402 Chancellor Stafford had referred with pride to the news that Rupert, King of the Romans, had appealed to Henry as "the most powerful king in the world" to work

The Papal
Schism and
the Council
of Pisa.

for the unity of the Church. The commons showed their zeal for the Church by renewing their petition to the King, their care for the national purse by deprecating again any serious expenditure in the cause. At last in July, 1408, a committee of convocation, including both Arundel and Beaufort, was appointed to consider ways and means of ending the schism. Gregory, the pope recognised by the English, had just alienated his cardinals, who promptly appealed to a general council to meet at Pisa in 1409. The convocation of July, 1408, resolved with the King's approval that the payment of papal dues should be suspended until either the schism was ended or Gregory had satisfied England that he was doing his best to end the schism, and an ultimatum to that effect was conveyed to Gregory by Beaufort, the Abbot of Shrewsbury, Lord Scrope, and the Chancellors of Oxford and Cambridge.¹ In November the Cardinal-Archbishop of Bordeaux came to London on behalf of the sacred college, and Henry, while still refusing to renounce Gregory, promised to send representatives to the council of Pisa and to urge Gregory to attend himself. The council met, declared both popes schismatics, and in June, 1409, elected a new pope, Peter of Candia (Alexander V), a Franciscan of Greek birth who had graduated in theology at Oxford. This election is said to have been due to the advocacy of Hallam, Bishop of Salisbury, a former chancellor of Oxford. Beaufort's share in the whole matter is ambiguous. A recently published volume of papal letters contains a bull issued by Gregory in August, 1409, in which he conferred upon Beaufort the powers of a special legate (*legatus a latere*) to be exercised in England

Beaufort
and Pope
Gregory.

¹ Wilkins, *Concilia*, iii, 308-310.

and Ireland on behalf of the unity of the Church, with particular reference to "the fresh schism" recently added at Pisa in the person of Peter of Candia, sometime Cardinal and Archbishop of Milan, "called Alexander V."¹ Beaufort was busy in France from May to September, 1409, as the leading member of an embassy sent to negotiate for a truce or peace and for the marriage of a French princess to the Prince of Wales. He may have extended his diplomatic efforts to Rome, or he may have come to an understanding with Gregory when he conveyed the ultimatum of Henry in 1408. It is evident that Gregory, whether independently or in consequence of previous conference or correspondence with Beaufort, made a bold bid for his services with the idea of undoing the work of the Council of Pisa. There is no indication either of acceptance or of refusal on Beaufort's part. Henry IV had given his adhesion to the decrees of the council, but it was not until October 22nd that he ordered the sheriffs to proclaim the election of Alexander, with whom, however, he had exchanged complimentary letters. He may have been merely waiting for the personal reports of his representatives returning from Pisa. On October 28th he forbade the seneschal of Aquitaine to execute the sentences of excommunication passed by Benedict and Gregory alike upon the Archbishop of Bordeaux, the envoy of the cardinals in 1408.² It would be easy to recognise in Henry's proclamations a reply to Beaufort's papal commission. But it is very doubtful whether Beaufort ever accepted the commission. In later years when his legatine commissions of 1417 and 1427 were made the grounds of an attack

¹ *Papal Letters*, vi, 99.

² Rymer, *Foedera*, viii, 604.

upon his loyalty, not a word was said of any earlier commission. The most that can be safely stated is that Gregory, remembering that Henry had remained loyal to him even while bringing pressure upon him in 1408, and knowing perhaps that Beaufort was at variance with Arundel, endeavoured to secure the support of Beaufort, and through the support of Beaufort to regain the support of England, where he still had not a few sympathisers.

Meanwhile Arundel was in difficulties. In January he re-enacted in synod at St. Paul's the constitutions which he had enacted in synod at Oxford in 1407. He had endeavoured to repress the Lollardism of the university by restricting alike preaching, the translation of the Bible, and the printing or teaching of Wycliffite doctrine. The graduates of Oxford rebelled in defence of their academic liberties, and their rebellion had the support of the Prince of Wales. They submitted, but reluctantly, and only for a time ; and the strength of their opposition was probably in part the cause of Arundel's resignation of the chancellorship in December, 1409.

Predominance of the Prince of Wales and the Beauforts.

(2) For the next two years the government was practically in the hands of the Prince and his friends. The King was reluctant to part with Arundel, and the chancellorship remained vacant for more than a month, but on January, 31st, 1410, the seal was entrusted to Thomas Beaufort. Meanwhile parliament had met, with Chaucer again for speaker. In the absence of a chancellor the session was opened by the Bishop of Winchester. The Prince was at the head of the council, and the King's intermittent malady left the Prince regent in fact if not in name. The bishop took as his text at the opening of the session the words, "it becometh us to fulfil all

righteousness.”¹ He stated the two needs of the day, the maintenance of law and order at home, and the defence of the realm against the danger on the Scottish border and against the designs of the Duke of Burgundy upon Calais. He “rehearsed very discreetly” the two elements of good government, namely, rule and subjection, and proceeded first to illustrate the duty of the sovereign, as became a former chancellor of Oxford, by quoting Aristotle’s remark to Alexander that the security of a realm lay in the affection of a people protected in the enjoyment of their rights, and then to enforce the threefold duty of the people to their sovereign, “honour and obedience, reverence and benevolence, and cordial assistance.” The anti-clerical party was proof against the political philosophy of the bishop, charmed he never so wisely. A petition was presented by the Lollard knights deprecating the arrest of heretics by the civil magistrates. The voice of the commons as a whole spoke in a later petition asking that no action should be taken on the former petition; yet they seriously proposed that the King should eke out their subsidies by confiscating half the income of all non-resident incumbents. The King replied that “this matter appertained to Holy Church,” and that the question of non-residence had been considered in the last convocation. The chroniclers record a yet more drastic proposal for the disendowment of bishops, abbots and priors, whose wealth would, it was said, maintain an army of earls, knights, and squires, and still leave a wide margin for the poor and for the crown.² It was the Prince even more than the King who silenced this proposal. The

¹ *Rot. Parl.*, iii, 622.

² Kingsford, *Chronicles of London*, pp. 65, 295.

Prince's support of the Oxford masters was no proof of sympathy with Lollardism. He repressed its social side in parliament, and during that very session he sent the poor tailor Badby back to the stake. Prince and chancellor, Winchester and Canterbury, all had been associated in Badby's trial before convocation. There was practically no difference between the two parties in matters of orthodoxy and persecution.

When the commons in May, 1410, pressed for the formal nomination of the King's council, he replied that certain lords whom he had chosen had asked to be excused, probably Arundel and his late colleagues. The council then named—a smaller council than usual—was practically a close ministry of Beauforts with the Prince at their head. It consisted of the Prince, the Bishop of Winchester, the Bishops of Durham and Bath and Wells (old colleagues of Henry Beaufort, and the only bishops in whose consecration he took part for twenty years together), the Earl of Westmoreland (Beaufort's brother-in-law), the Earl of Arundel (nephew of the primate), and Lord Burnell. The Earl of Arundel, though not opposed to his uncle, was in closer sympathy with the younger party. Into the work of this council the Prince and the bishop threw themselves without stint. The records of the council bear vivid witness to the variety and minuteness of the business transacted in the summer of 1410 after the dissolution of parliament.¹ Calais was their chief anxiety. On the death of its captain, John Beaufort, Earl of Somerset, in March, 1410, it was retained by the Prince in his own hands, and in June three-quarters of the year's customs were assigned for its defence. Loans were raised from

¹ *Proceedings*, i, 331 foll.

London citizens and Italian merchant-companies to provide for garrisons in Wales. Bishops and barons and knights were set to borrow hard in their respective counties, Henry Beaufort making himself solely responsible for £1,000 from Hampshire, Wiltshire, Berkshire, and Oxford. Estimates of the needs of the frontiers, reports in person from officers at Calais as to the conditions of military service there, notes of instructions to sheriffs, commissions of enquiry into fraudulent returns of revenue, despatches to John of Lancaster (the Prince's brother) and the Earl of Westmoreland on the Scottish border, memoranda from English ambassadors in Flanders stating the grievances of Flemish merchants against English highwaymen and sea-rovers, grievances which were endangering the prospect of peace with Burgundy,—such were the matters which occupied the Prince and Beaufort while their rival the archbishop was using his enforced freedom from cares of state to discipline the Lollards of Oxford.

The university had already been brought to the notice of parliament in 1410 by a petition from the civil authorities of the city and county asking for the revocation of the judicial privileges of the university in consequence of the disorderly behaviour of its members. The King ordered the chancellor of the university to produce its charters, and instructed the council to revoke such privileges as were prejudicial to the crown. Such other privileges as were prejudicial to the rights of the Prince or the Bishop of Winchester or other persons possessing "liberties" at Oxford were to be revised by the council with the law-officers of the crown. But in 1411 the Prince had to intervene in a more serious dispute. The archbishop announced his intention to hold a visitation of

Arundel
and the
University
of Oxford.

the university. The chancellor, Courtenay, the Prince's friend, headed a revolt and garrisoned St. Mary's Church against the primate with armed scholars. The primate replied with an interdict which was ignored, and at last the dispute was referred to the King. Henry forced the chancellor and proctors to resign, and reaffirmed the archbishop's right of visitation. Parliament ratified the King's decision, but the university re-elected the chancellor and proctors. It was at this point that the Prince intervened. He induced the masters to drop their claim of exemption, and the King to accept the re-election of the officials. The archbishop then proceeded with his visitation. The Prince had gained but little here ; elsewhere he had lost heavily. At the beginning of 1412 the Prince and the Beauforts were displaced to make way for Arundel and the Prince's brother Thomas.

**Alliance
with
Burgundy.**

It was a bold venture into the troubled region of French politics that had brought the Prince into disgrace. France was torn by the strife of two factions, the one led by the Duke of Burgundy, the other by the Duke of Orleans, nephew of the French king, and his father-in-law the Count of Armagnac. In the summer of 1411 both parties sought help in England. Commercial interests in Flanders induced Henry to send an embassy to Burgundy, but with careful precautions against a breach with the French court. The Prince, impatient of delay or diplomacy, sent troops at once. The English contingent enabled Burgundy to clear Paris of the Armagnacs and to win a decisive victory at St. Cloud ; but the importance of this expedition lay in the discovery that "twelve hundred Englishmen could utterly turn the balance between the two great French

factions.”¹ This was a discovery which did much to replace a cautious policy of peace with France by a belief in the possibility of a successful war. St. Cloud was largely responsible for Agincourt.

Meanwhile the King, who had been delayed by sickness even more than by hesitation, was gravely resentful of his son's presumption. Two other factors had recently entered into the situation at home. Thomas of Lancaster, the King's second son, had quarrelled with the Beauforts. He had obtained a dispensation to marry the widow of his uncle, the late Earl of Somerset, and the Bishop of Winchester as chief executor of his brother the earl made his protest against the marriage by refusing to pay the widow's dower out of the earl's estate. Already Thomas had been on strained terms with the Prince's council. When he asked for an advance of salary as lieutenant of Ireland in June, 1410, the council told him that they were prepared to make their promised payments if he was prepared to carry out his promised work. Now the Prince protected the bishop so effectively that Thomas only got his bare claim and no personal satisfaction; and the disappointed litigant withdrew from his brother's party and entered into closer relations with his father the King. The other disturbing factor in the situation was far less to Beaufort's credit. The chroniclers relate that the Prince at the suggestion of Beaufort requested the King to resign the crown on account of the recurrence of his disease, and that the King met the request with an indignant refusal. The story is not improbable. One French chronicler states that in 1406 the embassy headed by Beaufort endeavoured to win the French to the idea of a marriage alliance by representing

Quarrel
with
Thomas of
Lancaster.

Beaufort
and the
Prince's
design
upon the
Crown.

¹ Ramsay, i, 131.

that Henry was about to abdicate, and that the Prince would soon be virtual ruler of England. It is a significant fact that in 1426 when the bishop repudiated so vigorously other charges then made against his loyalty to three successive sovereigns, he was practically silent upon this charge. If it was true it would be intelligible enough. The King's malady was a serious weakness to the government, and the desire to remedy this weakness may have been as prominent in Beaufort's mind as the ambition of guiding a young king instead of a prince in occasional authority. Still it was a heartless proposal, and the Beauforts paid as dearly as the Prince for the false step. When parliament met in November, 1411, the vagueness of Thomas Beaufort's opening address as chancellor betrayed the uncertainty of their position. They still had influence enough to secure the election of Chaucer again as speaker, but the King met the speaker's customary request for liberty of speech with the brusque assertion that "he would have no novelties in that parliament." On November 30th the commons prayed the King to thank the Prince and the council for their services. The Prince declared on behalf of himself and his colleagues that they had done their best for the realm in all sincerity, and the King remarked that he knew they would have done better still if they had been better supplied with funds, and that he was "quite satisfied of their good and loyal diligence, counsel and duty for the time that they were of his council." His language was complimentary, but it sounded like the close of a chapter, and such it proved to be. On the last day of the session he asserted his royal prerogative so emphatically that the commons prayed him to silence the rumours of his displeasure by a distinct acknowledgment

of the loyalty of all the estates, and he granted their petition.¹ The Beauforts had evidently not forfeited the confidence of the commons by their support of the royal prerogative earlier in the reign. The victory of St. Cloud and the popularity of the Prince counted for much, but Henry Beaufort was fast becoming a power in the land. Whether from his growing financial importance or from his frank recognition of the place of the commons in national life, he had already gained an influence in parliament which stood him in good stead more than once in later days.

(3) The King, however, held his own. Parliament dispersed in December. On January 5th, 1412, Arundel took Thomas Beaufort's place as chancellor, Thomas of Lancaster succeeded his brother on the council, and the Archbishop of York succeeded the Bishop of Winchester. It was in modern parlance a complete change of ministry. The Armagnacs took prompt advantage of the change, and sent envoys to London to offer Aquitaine as the price of Henry's support. The offer was accepted. The Burgundian alliance, the deliberate policy of the Prince and Beaufort, favoured by the King at heart, commended by the commercial importance of Flanders to England, sealed already by the victory of St. Cloud, and pledged to continuance by the still pending negotiations for the marriage of the Prince to Anne of Burgundy, was flung aside for a costly expedition to Guienne in conjunction with the Armagnacs, the traditional enemies of the house of Lancaster. Money was raised by loans under the privy seal, but the Bishop of Winchester was not among the eleven bishops who contributed. He was ready enough to

The Prince
and the
Beauforts
in disgrace.

¹ *Rot. Parl.*, iii, 647-649.

lend for national needs, but this was a reckless reversal of his own policy. It was, moreover, a financial blunder. The minutes of the council contain a budget showing a serious deficit, and ending with the significant confession: "this memorandum was never shown to the King."¹

Meanwhile the Prince made a bold bid for reinstatement in influence, if not in office. He came to London in June attended "by much people of lords and gentles" to demand the vindication of his character, perhaps also to force the resignation of Arundel. Henry gave him an interview, and accepted his protestation of loyalty, but postponed his grievances against the "slanderers" who had "sown discord" between father and son to the hearing of parliament. Within a week Thomas was made Duke of Clarence and sailed for France as lieutenant of Aquitaine. With him went Thomas Beaufort, now Earl of Dorset, an interesting counterpart to the Earl of Arundel on the Prince's side. "The lords," however, "were accorded ere they came"; Orleans had already made his peace with the King of France, and Clarence had to tell his father in October that the English must submit to be paid off. The Prince meanwhile had not allowed matters to rest. He extracted from the council a formal acknowledgment of his financial integrity in the matter of Calais, and in September he came to the council "with an huge people," probably to press home the scandal of the French fiasco to his own advantage, though ostensibly only to demand satisfaction for his own malignment by his opponents. It is probable that Bishop Beaufort was not far away in the background, but the only reference to his name is a mysterious tale of

¹ *Proceedings*, ii, 33.

intrigue which is incredible in the precise shape in which it is recorded.¹ The bark of a faithful spaniel led to the discovery of a stranger hiding in the Prince's chamber at Westminster. The man confessed that he had been sent by the Bishop of Winchester to murder the Prince in bed. Years afterwards the bishop denied the charge that he had sent the man to murder the Prince. The denial was superfluous. Probably no actual murder was planned by anybody ; the author of the plot was merely bent on fastening the imputation of murderous intent upon somebody. The plot can scarcely have been an attempt of the archbishop's party to poison the Prince's mind against Beaufort ; such an idea must have been hopeless in view of the close intimacy between the two. It is more likely that the man was actually sent by the Bishop of Winchester, to set people thinking that Arundel had used the man as a tool to implicate Beaufort. Arundel would have been discredited by the supposition that he had been guilty of such a trick. The unsavoury mystery, however, remained a mystery. The Earl of Arundel, who was entrusted with the trial of the case, had the poor wretch dropped into the Thames in a sack. If the earl was an outright partisan of the Prince, his summary closure of the only available evidence would tell against the Beaufort party. But he seems to have been on fairly good terms with his uncle the archbishop, and it is uncertain therefore which party he thought he was shielding.

**Beaufort
accused of
treachery
towards
the Prince.**

The tale of intrigue and counter-intrigue was soon to end. On March 20th, 1413, Henry IV passed away. His will bore traces of recent history ; York and Durham were among his executors, but not Winchester.

**Accession
of Henry V.
Beaufort
Chancellor
again.**

¹ Kingsford, *Chron. Lond.*, p. 78.

Bishop Henry's support or instigation of an unfilial Prince had wiped out the memory of his earlier services to the King. The supervisors of the will were the Prince and the primate; the father had died at peace with his son, and hoped perhaps that the Prince would live at peace, if not work in union, with his old opponent. But the Prince's choice had long been made, and on the day after his accession he transferred the seal from Arundel to Beaufort. It was not a choice of mere affection or impulse. Early intimacy had done much perhaps to bind uncle and nephew together. There is no evidence for or against any connexion of the bishop with those faults or sins in the Prince which tradition has touched into such bold contrast to the high aims of the young King of twenty-six. No definite inference can be drawn from the bare fact that in the first year of his reign Henry V repaid over £800 which Beaufort had lent him when he was Prince of Wales. It is probable on the other hand that the two had observed and discussed not a few of the lessons that Henry IV was learning in those anxious days when parliament was keeping him in his place in a double sense—hedging his throne with faithful but parsimonious support, and at the same time with persistent, if loyal, limitations. Beaufort had seen early in the reign that for a realm just emerged from an alternation of anarchy and despotism, and for the first sovereign of a new dynasty just feeling his way to security, the path of recovery and strength lay in mutual forbearance and support. The conditions of this mutual support must inevitably in the absence of precedent be a matter of experiment, in which Beaufort was prepared to insist on the King's having the benefit of the doubt as far as parliament would consent to give him that

benefit. But as Henry's position became surer, and still more as the younger Henry's popularity grew heartier, Beaufort may have come to dream of an England which should be strong at home in a personal as well as constitutional bond between King and people, and in that strength should venture great things abroad for the recovery of old prestige. Probably there entered into this dream an ambition of his own, however vague as yet. But there is no ground for the assumption, so often made in estimates of Beaufort's character, that such an ambition is so exclusively selfish or so inherently immoral as to vitiate the honesty and the patriotism of any policy of which it is a factor.

CHAPTER III

SECOND TENURE OF THE CHANCELLORSHIP 1413-1417

**The new
King
and his
Chancellor.**

"THE unquiet time of King Henry the Fourth," in the quaint language of Hall, a sixteenth-century historian, was followed by "the victorious acts of King Henry the Fifth." The reign which ended in 1413 had indeed been an unquiet time. Its earlier years had been marked by wars and rumours of wars on the borders, by conspiracy or revolt within the baronage, by friction between King and parliament ; its last five years were disturbed by a rivalry of chancellors and princes which prevented either a firm government at home or a consistent policy abroad. With the advent of Henry V to the throne a change came over the spirit of the nation as well as over the new King himself. The fresh sense of responsibility which sent him straight from his father's death-bed to a spiritual adviser, the blending of caution and charity which honoured or reinstated opponents or victims of his father, and changed the composition of the ministry right through without making an enemy, —these were notes of a personality which brought healing and strength to the body politic. Parliament felt the spell. When Chancellor Beaufort discoursed in May, 1413, from the text, "Before all action sound advice," and exhorted the estates to maintain the royal dignity, to labour for good government and law, and to safeguard possessions abroad by resisting enemies and by making friends, the commons hinted indeed broadly that the King knew how far his father's

promises of good government had been fulfilled, and they dwelt on various symptoms of weakness and disorder at home and abroad, but they took kindly even his refusals of sundry petitions for redress of ecclesiastical abuses, and they gave him respectable financial support as he faced the first tasks of his reign.¹

Two problems were awaiting the young King's attention—the Lollards at home, the French abroad. It is difficult to decide how far the authorship or the responsibility of the line of policy followed in either case is to be attributed to the King or to the chancellor who for four years was second only to his master. The chancellor's opening address in parliament occupied in those days the place of the modern speech from the throne, but there the resemblance ends. The King's speech of our day contains a definite outline of legislative proposals which represent the policy of the cabinet ; the chancellor's address of that day made more or less pointed reference to current needs, but such general hints of action as were conveyed thereby were given and taken as indications of the policy of the King. The council which stood between King and parliament stood nearer to the King than to the parliament, and the chancellor who was practically the prime minister of those days was the agent of the royal will and not the exponent of parliamentary feeling. Beaufort therefore as chancellor was to all intents and purposes the mouthpiece of the King. How far the policy to which he gave voice was first shaped by his own private influence is a secret which history has not revealed. The one thing which seems to stand out clearly is the difference between the two men in the very things upon which

¹ *Rot. Parl.*, iv, 3, 4.

they were agreed. The King was the better churchman of the two. If Beaufort persecuted Lollards for the sake of law and order, Henry persecuted for the sake of orthodoxy also. If Beaufort worked hard for the conquest of France or for the unity of western Christendom, it was chiefly to make England great, not without a touch of ecclesiastical ambition of his own. Henry, on the other hand, found room in his busy mind, alongside the soldierly patriotism of an imperialist English sovereign, for dreams in which he himself figured alternately as a crusading patron of Holy Church and as a divinely appointed instrument for the chastisement of a sinful France. Yet it is dangerous to argue from silence. If chronicler and parliamentary scribe record little or nothing of Beaufort which speaks of these or other ideals, it may be because he was a man of action rather than of words, or because he sank the expression of his own sentiments in the execution of the plans of his friend and master the King.

The
Chancellor
and the
Lollards.

The Lollard question came up first for settlement. Lollardism was still a living force. The archbishop's stringent visitation of the university may have provoked more Lollard activity elsewhere than it suppressed at Oxford. The immunity of Lollard knights in the service of the crown may have more than neutralised the warning of the occasional martyrdom of a humbler disciple. The great schism may have given a new force to every argument against the abuses of mediæval church life. Whatever the causes were, Lollardism was gaining rather than losing ground in high places in England, while it was exercising a growing influence upon the reforming movement in Bohemia. Convocation urged the King to strike at the leaders through Sir John Oldcastle,

a soldier and ambassador of distinction, and Henry, finding that a personal appeal to his old comrade in arms failed to shake his convictions, authorised the primate to proceed with the trial. Beaufort and the Bishop of London sat as the assessors of the archbishop in September, and at least assented to the condemnation of the stalwart heretic. In October Oldcastle escaped from the Tower, and early in January, 1414, the government was face to face with the certainty of a Lollard rising. The insurgents were forestalled and crushed by the vigilance of the King, and the ringleaders were executed, but the insurrection was regarded as formidable enough to take the first place among the subjects of the chancellor's opening address in the parliament which met at Leicester on April 30th. "He hath applied his heart to observe the laws," so ran the text on which he based his appeal for support for the King.¹ Arundel, who died in February, 1414, had dealt with Lollardism in convocation from the standpoint of a churchman. Beaufort's attitude was rather that of a statesman. He laid stress indeed upon the necessity of keeping "the laws of God and the Christian faith," and dwelt upon the troubling of "the holy church of England" by the malice of "certain people of England infected with heresies called Lollards"; but he spoke forcibly of the danger involved for "all the temporal estates of the realm" as well as for "the estates and ministers of the said church." The proclamation issued by the government after the late rising suggested that the Lollards contemplated the establishment of "a commonwealth or something of the sort, with Oldcastle as protector."² The

¹ *Rot. Parl.*, iv, 15, 16.

² Ramsay, i, 179.

suggestion recalls the language of a petition presented by the commons in the parliament of 1406 in the name of Prince Henry and the lords. This petition, after a reference to the Lollard outcry for the disendowment of the Church, proceeded: "It is probable that in course of time they (the Lollards) will excite and move the people of your realm to oust and rob the lords temporal of their possessions and inheritances also, and thus make them all common, in overt commotion of your people, and final destruction and subversion of your realm for all time."¹ It has been said that "apart from their hostility to the possessions of the clergy" there is no evidence that the Lollards were guilty of "designs subversive of all government."² But it is probable that the suspicions and suggestions of the government were justified by the words and actions of the wilder spirits among the Lollards of the generation which succeeded Wycliffe. There is no doubt that even the saner spirits, if innocent of socialistic designs, were not infrequently agents or authors of political revolt. Oldcastle was on the move again in 1415 in suggestive coincidence with the conspiracy which burst on the eve of Henry's departure for France. It was this social or political aspect of the Lollard agitation which led parliament to respond to the chancellor's appeal in 1414 by assenting to a statute requiring all civil officers of the realm, from the chancellor down to a country mayor or bailiff, to take the initiative in proceeding against "all manner of heresies and errors commonly called Lollardries." Lollards were now considered guilty of treason as well as heresy. The statute of 1414 did not originate in any petition of the commons; it was

¹ *Rot. Parl.*, iii, 583.

² Ramsay, i, 181 n. 4.

mainly the work of the King and the chancellor. The leniency of the new Archbishop Chichele was more than balanced by the severity of the King ; and in May, 1415, amid the last stages of futile negotiation with France and of busy preparation for the "voyage," the chancellor did not forget to communicate to the bishops the King's instructions "to resist the malice of the Lollards." The genius of Shakespeare has given weight to the assertion of a late chronicler that the French war itself was prompted by the bishops in their alarm over the Lollard cry of disendowment. Contemporary evidence is as silent upon this responsibility of the bishops as it is explicit upon the King's own eagerness for the war. It is just possible that the obviously unauthentic speeches attributed by Hall the historian to Archbishop Chichele and the Earl of Westmoreland in his account of the Leicester parliament¹ may have been based upon some utterances of theirs at the privy council in 1415 ; perhaps the bishops looked forward gladly to the approaching war as likely to close the ranks of the nation at home and efface internal differences on social and religious questions. But the sequence of events indicates that the war was regarded as inevitable before 1415, and that as far as Beaufort was concerned the proceedings against Lollardism were intended to set the government free to deal energetically with the problem of foreign policy rather than that the war itself was in any sense promoted as a remedy for evils at home. The two other matters of urgency which the chancellor pressed upon the attention of parliament were the piratical habits of English seamen, and the outbreaks of border brigands. It would be unfair to describe the chancellor as equating Lollardry with piracy and

¹ Hall, pp. 49-57 ; Stubbs, iii, 85.

brigandage, but the juxtaposition of the three suggests that it was the anarchical rather than the unorthodox tendencies of Lollardism which brought the movement under the watchful eye of the guardian of the King's peace.

The
question
of war
with
France.

The work of Beaufort during the next three years centred mainly round the war with France. That war had been imminent from the beginning of the reign. Henry and Beaufort had been associated already in 1411 in a policy of armed intervention in the troubled affairs of France, and the chancellor's reference in the parliament of May, 1413, to the need of resisting enemies and making friends abroad was but a thinly veiled suggestion of alliance with Burgundy against the Armagnac faction which was disputing with Burgundy the control of the mad King of France and his dissipated son the Dauphin. In the summer of 1413, while the Burgundians were still in the ascendant, Henry's envoys pressed the old claim to the French crown and to the dominions ceded under the treaty of Bretigny. When the Armagnacs regained the upper hand, another English embassy revived the more recent proposal for a marriage between Henry and the young princess Katharine. Nothing resulted in either case but a renewal of the current truce and a promise of further negotiation. Henry was biding his time. In the parliament of April-May, 1414, the chancellor announced that the King was not asking for subsidies but for "advice and aid in good governance." It was important to secure the assent of the commons to the anti-Lollard legislation then in hand. The question of peace or war was, however, in the background. While parliament was still sitting at Leicester, envoys from Armagnacs and Burgundians alike were waiting upon the King, the

former in London, the latter at Leicester. Henry was still playing two games. Within a single fortnight he had signed a secret treaty with Burgundy pledging himself to take the field against the Armagnacs, "saving the rights of the King of France," and sent envoys to negotiate for the hand of two Katharines, a French princess and a Burgundian. This double diplomacy was evidently intended merely to gain time for preparation for war. This conclusion is borne out by the extent of the claims advanced by the envoys to the French court. Those claims amounted to a practical demand for the whole of the lost empire of the Angevin kings. Needless to say, they were not entertained; all that the French were prepared to offer was a suggestion of territorial concessions in Aquitaine. Meanwhile Henry was pushing on his preparations. Ships and guns were collected, and a great council was summoned at Michaelmas to hear the King's case. The answer of the lords and knights was loyal but cautious. They were sure that "so Christian a prince" would contemplate "the shedding of Christian blood" for nothing less than the "denying of right and reason"; but they suggested that the King might of his "own proper motion" propose "some mean way or modering of his whole title." In the event of the failure of any such offer they were willing to serve him in person, and hoped that action would be ready and prompt.¹ A week later convocation, led by its new Primate Chichele, who, as Bishop of St. David's, had taken part in the embassy of 1413, gave a double tenth in evident expectation of war.

Council and convocation had practically voted for war, and Beaufort had taken his part in both votes.

¹ *Proceedings*, ii, 140.

Final
prepara-
tions for
war.

His third share in the making up of the mind of the nation came in the parliament which met in November.¹ In his opening address he quoted two texts. The first, a free translation of Ecclesiasticus iv, 33, "Thou shalt fight to the death for justice and pursue what is just," was quoted incidentally by way of giving sanction to the King's "desire for good and discreet governance towards his enemies abroad," and to his determination to exert himself for "the recovery of the inheritance and right of his crown now long withheld." The other, a still freer handling of the Vulgate of Galatians vi, 10, "While we have time, let us do good," was taken as his main theme. The concluding words "unto all men" were omitted as inconvenient for the immediate purpose of an appeal to England to support its King in a war against France. "Many authorities and notabilities" were cited in illustration of the chancellor's theme, but its chief feature was an elaborate parable which the parliamentary scribe has preserved in the roll of the session. From the successive stages of plant-life, bud, flower, fruit, and repose, the chancellor drew the moral that "so to man also is given a time for peace and a time for war and work." "The King our sovereign lord, considering the blessing of peace and tranquillity reigning at present over all his realm by the high gift of God, as is well perceived, and also on the other hand the truth of his quarrel, which are the two things most needful to each prince that has to war against enemies abroad, understands that a convenient time has now come to him to accomplish his said purpose by the help of God, and thus while we have time let us do good." For this high and honourable purpose the King needed three things, "the wise and loyal

¹ *Rot. Parl.*, iv, 34.

counsel of his lieges, the strong and true assistance of his people, and copious subsidy from his subjects." The speech ended with the customary invitation to all who desired to petition for redress of private grievances, but a lower note was struck by the chancellor's final suggestion that the more the King's patrimony was increased the more his lieges' burdens would decrease. Petitions came in greater number than usual, in the hope perhaps of finding Henry in a generous mood at such a crisis, and the chancery was kept busy issuing the letters patent which conveyed the King's favours. To the chancellor's shrewd appeal for supply the commons responded with two-fifteenths and two-tenths, but also with a saving clause deprecating any actual "voyage" until diplomacy had been tried once more. "The recommendations of the council and commons and the King's pious aspirations were perhaps equally formal."¹ In their final shape the demands of the new English embassy amounted to a claim of all the Breigny domains, half Provence, and the Lordships of Beaufort and Nogent in Artois. The last claim was at once a pardonable touch of family pride and a personal link between the King and his uncle the chancellor. Beaufort and Nogent were the lost inheritance of John of Gaunt's wife, Blanche of Lancaster, great granddaughter of Edmund Earl of Lancaster and Blanche of Artois. The envoys asked also for a million crowns as Katharine's dowry. The French council, daunted perhaps by their knowledge of a recent agreement between Henry and Burgundy, offered liberal concessions in Aquitaine, and a dowry of 600,000 crowns, afterward raised to 800,000 crowns, or over £130,000. The envoys had no

¹ Kingsford, *Henry V*, p. 116.

instructions to accept such terms, and they returned in March with a bare understanding that the French were to send an embassy to London.

On April 12th the council met to deal with details of business referred to them by the King.¹ It was practically a small committee of council, consisting of the King's brothers Bedford and Gloucester, the Archbishop of Canterbury, Chancellor Beaufort, the Bishop of Durham, Thomas Beaufort, Earl of Dorset, and the keeper of the privy seal. The council had already provided for the safeguarding of the coasts and the garrisoning of the marches and borders. The Mayor of London was now instructed to provide for the cheap sale of armour and equipment. One important piece of business of which the chancellor had charge at the council opens out a view of a wider policy. It was the drafting of the King's instructions to an embassy lately appointed to treat with Sigismund, King of the Romans. A general council had been summoned to meet at Constance in November, 1414, and the English representatives appointed in October to attend the council were authorised to act also as ambassadors to Sigismund, who had already offered the prospect of an alliance which Henry was glad to accept. The alliance was doubtless welcome as an asset for the war against France, but it was part of a wider ambition. Henry was in fact contemplating an active part in the deliberations of the great Council of Christendom, and in the last two letters which he wrote to the French king, and now submitted to the privy council, he laid an emphasis which seems a strange blending of sincerity and unreality, not only upon the righteousness of his claim to dominion in France but also upon his desire for peace as a step

¹ *Proceedings*, ii, 153.

towards the healing of the schism in the Church. It was a bold attempt to throw the final blame of the war upon France, but it was also an honest avowal of a great purpose which was dear to the heart of the soldier-churchman. Victory or supremacy over France was for him a means to an end, and that end was the peace and progress of Christendom.

On April 16th a great council met at Westminster. The King thanked his lords and bishops for their prompt attendance. "Then by his royal command the honourable father in God the Bishop of Winchester his chancellor of England very wisely and concisely rehearsed the matters mentioned and discussed in the great council held at Westminster (*i.e.*, at Michaelmas, 1414), together with the decision then made, and how for causes declared in the said great council our said lord the King had taken firm resolve to make a voyage by the grace of God in his own person for the recovery of his heritage and the restoration of the rights of his crown which have been long time withheld from him and wrongfully usurped. . . ."¹ Next day, again in the presence of the King, the chancellor announced that the Duke of Bedford was to be Lieutenant of England, with an advisory council consisting of the primate, the Bishops of Winchester and Durham, the Earl of Westmoreland, and five other barons and prelates. The truce with France was twice extended to give Henry time for his last preparations, and Beaufort was as hard at work as the King. On May 25th he summoned before the council representatives of merchant companies of Florence, Venice, and Lucca trading in London, told them that they must pay for their commercial privileges in England by loans to the crown, and on their

¹ *Proceedings*, ii, 155-157.

refusal committed them to the Fleet prison, where they repented and decided to lend £2,000. The city had already lent over £6,000 in response to an urgent personal appeal from Beaufort and the King's brothers and the archbishop. On the 27th he was busy arranging for the security of the King's jewels, soon to be pledged for a loan, and issuing instructions to the commissions of array for the defence of the shires, to the bishops for active precautions in their dioceses against Lollard agitation, to the officers in each county for the erection of beacons, and to the Mayor of London for the restriction of the demolition of the city walls.¹

French
embassy at
Winchester

At last Henry's time came to move. On June 18th he made his "offering" at St. Paul's, and took solemn leave of the Queen-dowager and the city magnates. The belated French embassy had landed at Dover the day before, and on June 30th the Archbishop of Bourges and his colleagues presented their credentials to the King, who with his brothers and ministers received the embassy in the hall of the chancellor-bishop's palace of Wolvesey at Winchester. Next day after mass the Archbishop of Bourges opened the proceedings before the King with a discourse on the text, "Peace be unto thee and thy house." Beaufort replied in complimentary terms, and the two parties dined together in state. The third and fourth days were spent in serious discussion between the King's ministers and the ambassadors. The chancellor asked bluntly what they had to offer beyond their last terms. The archbishop could only intimate that the dowry might be increased. On the fifth day Henry himself took part in the conference, and gave a partial assent to the archbishop's offer of an increased dowry and of slight additions of territory in Guienne. On July 6th

¹ *Proceedings*, ii, 165-167.

the negotiations broke down, as Henry intended. He demanded a time-limit and a pledge for the fulfilment of the conditions offered, suggested that the embassy should stay in England during the interval, and finally raised the old question whether he was to hold the ceded territory as an absolute sovereign or as a feudal subject of the French king. The ambassadors had no assurances to give, and finally the chancellor told them plainly in his master's name that as "his cousin of France" was not in earnest in his proposals, the only remedy lay in an appeal to the divine sanction, which of course meant war. The archbishop retorted with a perfectly truthful assertion of the honesty and liberality of his sovereign's offers, and with an impassioned appeal to heaven on that sovereign's behalf. He foretold disaster for the invader, and, "most unkindest cut of all," denied the claim to the French crown point-blank on the ground that Henry was not even entitled to the crown of England. No wonder an English chronicler described the archbishop's peroration as rude in the extreme.¹

The chancellor had no part in the trial of the conspirators whose plot was revealed on the very day of the mustering of the forces at Southampton on July 20th. Their inevitable condemnation was the work of the lay peers based upon the finding of a local jury. The chancellor cannot but have welcomed his relief from such a task, for one of the conspirators, Lord Scrope, was an old colleague in embassies abroad and in the Prince's ministry at home. This revelation of a conspiracy of various elements of antagonism or

¹ Walsingham, ii, 305, "*nimis petulanter se gerens in peroratione suae orationis.*" For the negotiations at Winchester, see Monstrelet, 361, 362; S. Denys, 5, 501-530; Sismondi, xii, 464 foll.

The news
of
Agincourt.

discontent at home no doubt added to the anxieties of the chancellor and his colleagues on the regent's council, but there is no record of any serious difficulty in the maintenance of peace and order during the King's absence. Henry sailed on August 11th, and with him went practically the whole of the English baronage. Harfleur surrendered after a month's siege, and in October Henry left his uncle, Thomas Beaufort, in command of the captured town, and began his hazardous march to Calais. The battle of Agincourt was fought on October 25th, and early in the morning on the 29th the chancellor rode into London to convey the tidings of the victory to the new mayor, who was that day to "ride and take his charge at Westminster." "And then through London," runs the story in Gregory's *Chronicle*, "they let ring the bells in every church and sang *Te Deum*; and at Paul's at nine of the clock the tidings were openly proclaimed to all the commoners of the city and to all other strangers. And then the Queen and all the bishops and the lords that were in London that time went to Westminster on their feet a procession to Saint Edward his shrine, with all the priests and clerks and friars and all other religious men, devoutly singing and saying the litany. And when they had offered, the mayor came home riding merely with all his aldermen and commoners as they were wont for to do."¹ It was a glad day for London after the alarming rumours of the past week. It was a proud day for the chancellor who had been the King's right hand all through the work which had now borne fruit in victory. Bedford as "guardian of England" lost no time in summoning parliament,

¹ Gregory's *Chronicle*, in *Collections of a London Citizen*, p. 113.

and Beaufort in his opening address on November 4th explained that parliament had been summoned for two purposes, for good government at home and for the prosecution of the king's "voyage" in France. "As he has done to us, so let us do to him," so ran the chancellor's theme. With regard to home affairs, he contented himself with the remark that the King had from the day of his coronation striven in the interests of all his lieges to maintain justice and peace, knowing full well the force of the old maxim that "without justice there is no true government." There was in fact little need to dwell upon this topic, for the country had been quiet since the King's departure. The council had found nothing more exciting to do than the suppression of a feeble movement of the restless Oldcastle in the west, and the execution of a Lollard or two in London. But the second topic gave the chancellor an opportunity of which he made the most. After a brief reference to the failure of the King's frequent efforts to come peacefully to terms with "his adversary of France," and to regain his rights "without shedding of Christian blood," he recalled the text of his own oration in the last parliament, "Strive for justice and the Lord shall fight for thee," and recited the story of the recent campaign. The surrender of Harfleur, the "visitation of God" which had scourged the English camp with disease, the thinning of the ranks by death and sickness, the brave march "through the heart of France" towards Calais, the "glorious and marvellous victory" of Agincourt—upon all this he dwelt with an emphasis which was meant to appeal to the generosity as well as to the pride of his hearers.¹ The commons tempered their liberality with economy

¹ *Rot. Parl.*, iv, 62.

of a sort. They accelerated the collection of their last subsidy, granted a new subsidy, and gave the King the customs for the rest of his life. The sentences passed upon the conspirators executed in August were given parliamentary sanction, and the session ended within the week.

Parliament
of March,
1416.

Henry entered London in triumph on November 23rd. The wondrous pageant which met his gaze at every turn from London Bridge to St. Paul's, where he was received and censed by the bishops in procession, was a dramatic representation of the *Te Deum*; but Henry's own bearing was marked by a silent self-restraint which bore witness to anxiety as well as to modesty. The conquest of France was scarcely begun. The position just won had to be made secure. His first step was to remove all danger of disloyalty by the reinstatement of the sons and grandsons of old enemies of the Lancastrian dynasty. The next was to ask the nation for further support. Already the chancellor and the council on November 25th had been compelled to borrow money to meet the needs of Harfleur, where Thomas Beaufort was anxious to be rid of his responsibility. Parliament met at Westminster in March, 1416. The writer of the *Gesta Henrici V*, a chaplain in Henry's army, gives an elaborate analysis of the chancellor's speech. According to this account Beaufort dwelt eloquently upon the victories of Sluys, Crecy and Agincourt as three indisputable proofs of the divine judgment in favour of the English claim to the French throne, and then turned to lay stress upon the three points of advantage gained in the recent campaign, viz., the command of the harbours, the courage of success, and the possession of an army in being.¹ Such was

¹ Williams, *Gesta Henr. V.*, p. 73.

the glowing view taken of the chancellor's speech by a soldier-priest. The account given of that speech in the rolls of parliament is far less ornate, and gives expression rather to the anxiety of the statesman for the future. He started with the text, "He has opened you the way," and quoted also the maxim, "a good beginning is half the accomplishment." He claimed recent events indeed as proving that the justice of the King's claim "had been openly determined and approved by the Almighty," but his reference to the difficulties through which Henry had won his way to victory must be taken not merely as enhancing the glory of that victory but also as indicating the grave need of that further assistance for which he now pleaded in the interest of king and realm.¹ The commons accelerated the collection of the last subsidy, but made no further grant. The only other important transaction was an ordinance that "in view of the long voidance of the apostolic see" through the lingering schism royal letters were to be sent to the metropolitans authorising them to confirm the bishops elected to vacant sees "still destitute of pastoral governance," without waiting for the conclusion of the schism. It was not merely ecclesiastical affairs at home that were involved in the schism. The Council of Constance was at that moment exerting an indirect but important influence on English diplomacy also. The session was adjourned on April 8th. After the recess the chancellor explained the reasons of the adjournment. The first was that the King's lieges might "keep the feast of Easter in their own homes and parish churches and there make their peace with their Lord and Saviour according to ancient usage and custom";

¹ *Rot. Parl.*, iv, 70.

the second was that the King had received messages which offered a prospect of peace with France; the third was that the King of the Romans, "desiring chiefly peace and unity in the church universal and also between Christian realms," had endeavoured to treat with the French court. Sigismund, the chancellor added, had lately come to England from France, and the King, though unable yet to publish the negotiations, hoped shortly to lay the case before the estates and ask their advice.¹

Alliance
with
Sigismund.

Sigismund had now taken the place of Burgundy as the pivot of English diplomacy. Burgundy was still struggling against the ascendancy of the Armagnacs; Sigismund was becoming the strongest ruler in Europe. Burgundy was important only in French affairs; Sigismund as emperor-elect was "the civil head and guardian of Christendom," and now as practical patron and master of the Council of Constance had set himself to solve problems in the life of the Church in which Henry took a keen interest. It was in fact from the ecclesiastical side of European politics that Sigismund made his intervention between England and France. He had left the council in the autumn of 1415 on a visit to Arragon to detach the Spaniards from the side of the anti-Pope Benedict, and his mission of peace to Paris and London in 1416 was undertaken with the twofold purpose of immediately reconciling the English and French delegates at Constance, and of ultimately securing the support of Henry in the policy of reunion and reformation which he was hoping to carry through at the council.

Sigismund spent March at Paris in a not altogether successful exploration of the mind of the French

¹ *Rot. Parl.*, iv, 72.

court, and brought a French embassy away with him to Calais. His attitude on the French question was yet undetermined. He had negotiated with both English and Armagnacs in 1414, and though Agincourt had weighted the scales on the side of his preference for England, it was not certain whether he was coming to plead the cause of the French embassy which accompanied him or was merely utilising their presence as an apparent proof of his neutrality. The English council, however, gave him a splendid and politic welcome, which went far to win him in advance. He was lodged at Westminster in the King's own apartments, and may have been present at the opening of parliament on May 11th, though there is no record of his presence in the roll of the session. Beaufort was to the front all through the Emperor's visit. As Bishop of Winchester and prelate of the Order of the Garter he installed Sigismund among the knights of the Order at Windsor on the feast of St. George, which had been postponed for the purpose.¹ As chancellor he had a hand, if not a voice, in the alliance with Sigismund against France which was substituted three months later for the Emperor's dream of a general peace of all Christendom. Sigismund apparently did his best to win such a peace, but events were against his efforts. Dorset, left to forage for himself round Harfleur, had to cut his way back into the town, and he wrote in

¹ Gregory, p. 113. The garrulous London chronicler who has preserved the description of all the "subtleties" at "the meat" which followed the mass of the day—Our Lady arming St. George and an angel doing on his spurs; St. George riding and fighting with a dragon, spear in hand; St. George and the King's daughter leading the lamb in at the castle gate—records how the Chancellor of England sat next to the King's brother on the Emperor's left, while two German dukes sat on the right of the King.

April to say that the starving garrison must retire if the council sent no supplies. In May French and Genoese ships were blockading Harfleur and raiding the south of England. Henry was growing impatient. He consented to Sigismund's sending envoys to Paris, and appointed envoys of his own ; and he instructed the bishops to hold special services of prayer for the success of the Emperor's labours in the cause of the reunion of the Church. But he was as restless under the suspense as he was unwilling to abate his own demands. He could not leave Sigismund in England ; so Bedford was sent off in August with a force which cleared the Seine and saved Harfleur. On the very day of this victory Henry and Sigismund were signing at Canterbury an offensive and defensive alliance against France. In the preamble of this treaty Sigismund avowed plainly the sincerity of his own efforts in the cause of peace and the bitterness of his disappointment at the duplicity of the French.¹ Still the hope of a peaceful settlement was ostensibly maintained, and Sigismund and Henry went over to attend a conference with the French envoys and the Duke of Burgundy at Calais. Beaufort went with the King, and the seal was entrusted to the Master of the Rolls from September 5th to October 12th. Henry was practically " his own foreign minister," but no doubt the chancellor was commissioned to state and argue his master's case at Calais, as he certainly did in the conference at Winchester in 1415. The conference at Calais proved, however, as barren as its predecessors. Burgundy refused to come at all until the King's brother, Gloucester, had been surrendered as a hostage for his safety. The French suggested that Sigismund might satisfy Henry's ambitions out

¹ Rymer, ix, 377-381.

of the ancient territories of the empire, which meant Burgundy. Nothing could result from such mutual suspicion but a bare renewal of truces, and Henry and Sigismund parted without any achievement beyond their own alliance.

Sigismund went on his way to Germany, only to find that his anti-French policy had increased his difficulties at the council of Constance. Henry returned to England for the meeting of parliament on October 19th. Beaufort had returned a week earlier to prepare for the coming session. He took for his theme, "Do your best to be at peace" (*operam detis ut quieti sitis*). This has been interpreted as an attempt to "tranquillise" a house of commons bent on checking the encroachments of the equitable jurisdiction of the chancellor's court in matters properly determinable by common law.¹ It is true that an elaborate petition against such procedure on the part of the chancery and the exchequer was presented by the commons in the last parliament, only to be dismissed by the royal veto. But the chancellor's speech as preserved in the rolls of parliament contains no allusion to judicial grievances of the commons. The chancellor may have meant his text to be taken as a plea for unity at home as a necessary condition of effective action abroad. But the words are best explained in the light of the maxim quoted at the end of the speech, "let us make wars to secure peace, for the end of war is peace." Beaufort was simply pleading for vigorous war as the only way to a satisfactory peace. The bulk of his oration consisted of an audacious parallel between the seven days of creation and the successive stages of the King's reign. "The Holy Trinity in six days created

Parliament
of October,
1416.

¹ Lord Campbell, *Lives of Chancellors*, i, 327.

and furnished all the world and on the seventh day turned to rest." So, too, with the King's work. In his first parliament at Westminster he had "laboured for the establishment of peace and good governance throughout the realm"; in his second at Leicester he had passed "good and necessary laws" to repress disorder; in his third he had obtained the assent of the estates to the drawing of the sword, after peaceful efforts had failed, in defence of his crown rights; during the last two sessions he had striven in vain for a peaceful sequel to his recent victory; now he needed in this his sixth parliament the assistance of his lords and commons to enable him to fight again for a final peace, and so to win "perpetual rest."¹ The commons granted two subsidies, and authorised the chancellor to raise loans on the security of the second. The Marquis of Dorset's services at Harfleur were rewarded by the title of Duke of Exeter and a pension of £1,000 a year; and the chancellor's promise in May that the King's negotiations with Sigismund should be submitted to the advice of the estates was fulfilled in bare formality by the production of the treaty of Canterbury, concluded two months before by letters patent, to receive the sanction of parliament.

Work of
the Privy
Council.

In November the chancellor appeared in convocation as the agent of the King, and voiced the needs of the crown with such effect that the convocation voted the King two-tenths. In February, 1417, the minutes of the council reveal him deep in the work of preparation for the new expedition and of the ordinary administration of the realm. Lists of ships, "barges" and "balingers" in the King's navy, memoranda of sergeants-at-arms and clerks

¹ *Rot. Parl.*, iv, 94.

responsible for pressing craft into the King's service along various divisions of the coast, catalogues of French prisoners and their wine allowances, warrants for the payment of envoys sent to the King of Castile, accounts of the temporalities of the vacant see of Chichester, writs for allowances to the Earl of Warwick at Calais in answer to an urgent letter received from him by the chancellor, orders to the warden and scholars of St. Michael's at Cambridge to produce the charter of their foundation before the archbishop, assignments on the wool duties for the payment of Calais debts, a commission to the young Earl of Northumberland to act as warden of the Border, references to the King on the question of the date of "the mustering of his retinue" for the coming campaign, on the strangely belated question of allowances for the sick and slain of 1415, and on the contents of a petition from Ireland against the misgovernment of the King's lieutenant—such was the bare outline of less than a fortnight's work done by the chancellor and three or four colleagues at the council in February.¹ In June Beaufort and the rest of the council, mindful of the commercial interests at stake in Flanders, were busy making provision for the payment of debts and the restitution of captured goods in the event of a breach of the truce with Burgundy. On July 25th Bedford was appointed regent, and Henry sailed for Normandy with the second and greatest armament of the war. Two days before the Bishop of Winchester had resigned the chancellorship.

This resignation has been taken as indicating a breach between the chancellor and the King. The idea is plausible but unjustified. The facts are as follows. On July 18th the King by letters patent

Resignation of the Chancellorship.

¹ *Proceedings*, ii, 202-220.

gave the chancellor a charge on the customs of the port of Southampton by way of security for the repayment of a loan of 21,000 marks (£14,000), for which the chancellor already apparently held in pledge a gold crown belonging to the King. On the same day the King requested the council to give letters of safe-conduct to Henry, Bishop of Winchester, bound for the Holy Land in fulfilment of an old vow of pilgrimage. The Close Roll of Henry V relates that on July 23rd Beaufort delivered up the great seal of gold to the King, and it was given at once to Thomas Langley, Bishop of Durham, the same old colleague who succeeded Beaufort as chancellor when he resigned the office after he became Bishop of Winchester in 1405. On the same day, July 23rd, the Bishop of Winchester received a full pardon for all offences of any kind. It has been suggested that it was the bishop's hardness in bargaining for security that cost him the chancellorship. The bishop, it has been said, refused to lend on the security which satisfied other creditors of the crown. There is no evidence for this assertion. The city of London had its loan of 10,000 marks secured on the crown jewels, but nothing is said about rapacity in their case. It should be noted also that the commissions for the raising of loans were not issued till July 23rd; the bishop had made his loan betimes, even if he had not forgotten the caution of the financier in the enthusiasm of the patriot. Much has been made again of the fact that the security given by letters patent in July was confirmed by parliament in the session which began in November. It has been said that the bishop himself had the charge on the customs ratified in parliament to make it safe, and even that he "managed to get a private bill of his smuggled through

both houses " for this purpose.¹ As a matter of fact, the bishop was abroad at the time in the service of the new Pope Martin V. The " private bill " was a petition presented by the commons and granted by the regent with the assent of the lords.

The most recent theory, however, is that the pardon granted to the bishop on July 23rd " suggests offences which it was unwise to make public in the interests of the dynasty," and that the circumstances of this pardon, coinciding as it did with the sudden resignation of the chancellorship, " point to royal compulsion."² It is doubtful whether this pardon should be taken so seriously. Pardons were not infrequently granted to cover breaches of technical responsibility or infringements of constitutional procedure not involving any moral condemnation. In 1402 a pardon was given to Beaufort, then Bishop of Lincoln, for the escape of thirteen felonious clerks from the prison of his castle at Newark. In 1410 Henry Chichele, Bishop of St. David's, afterwards Archbishop of Canterbury, received a pardon for obtaining papal bulls authorising Beaufort as Bishop of Winchester to accept the resignation of his benefices and to confer them on persons named by him. The pardon issued to the resigning chancellor in 1417 may even have been intended as a safeguard against any attack upon his good name in his absence. It is admitted that " no writer gives us the particulars of the intrigue that brought about this change " in the chancellorship.³ In fact no chronicler says anything at all of the circumstances of the breach, if it was a breach, between the sovereign and his minister.

¹ Campbell, i, 330.

² Vickers, *Gloucester*, p. 107.

³ Campbell, i, 330.

It is very doubtful whether it was a breach at all. The pilgrimage may have been a pretence, but it is at least as likely that it was intended to disguise the mission of an agent in the King's service as to cover the retreat of a discredited official. The sequel will show that Beaufort's proceedings at the Council of Constance in October, 1417, were at least in accordance with Henry's policy at that moment. It is possible that those proceedings were in consequence of actual instructions from Henry. Beaufort may have been sent or his pilgrimage utilised by Henry to secure the presence of a trusted agent at the council, who could be spared at home now that the country was quiet and the expedition to France organised. Even if Beaufort's presence in the neighbourhood was due to some purpose of his own, his employment by Henry at Constance is proof enough that any misunderstanding which might have occurred in July was only slight and temporary. There is no warrant for the conclusion that Henry dismissed his uncle the chancellor because he did not trust him.

CHAPTER IV

THE COUNCIL OF CONSTANCE 1414-1417

WHILE Henry was winning fortresses in Normandy, Beaufort was engaged in his first great intervention in the affairs of the Church at large. There is reason to believe that he was acting as the trusted servant of the King of England, but it is quite possible that he had something of a policy or an ambition of his own. Beaufort was a striking contrast to his former colleague Chichele, now Archbishop of Canterbury. Chichele was a churchman in whom the lawyer and diplomatist gave place more and more to the bishop, and an English churchman who as primate was most at home in convocation and in his diocese. Beaufort was a churchman in whom the bishop was lost in the statesman, best content to serve the crown and guide the national counsels in war and in peace, and an English churchman whose ambition ranged far and high in Christendom. In September, 1416, while Chichele, pained to learn the slackness in prayer of clergy and people, was appealing to his suffragans for the intercessions of the faithful on behalf of the King of the Romans, then labouring for the unity of the Church, Beaufort was abroad with Henry and Sigismund endeavouring to secure the support of Burgundy against the King of France. In fact, apart from the few occasions on which Beaufort acted as the deputy of the primate in summoning convocation, or as the agent of the King in appealing to convocation for subsidies, there is but little record of his activity

Beaufort
as a
churchman.

in the affairs of the Church at home. His part in the persecution of the Lollards was political rather than ecclesiastical. His diocese of Winchester was practically dependent for pastoral offices from 1407 to 1419 upon one or other of the occasional suffragan bishops whose strange titles excite the curiosity of the historian. From 1407 to 1417 the diocese was served by William "Solubriensis" (Selymbria), who was also acting as suffragan of Salisbury from 1409 to 1417, and of Exeter in 1415 and 1416; during 1417 and 1418 it was served by John Sewell "Surronensis" or "Cironensis" (perhaps Cyrene), who also acted from 1417 to 1423 as suffragan of London.¹ When Beaufort was not busy in the service of the crown, his churchmanship found a more congenial sphere in the relations of the Church of England with the divided Papacy. He had played a not unimportant part in the events which preceded and followed the Council of Pisa in 1409, but the share that he took in the great Council of Constance was fraught with still more important issues for his country and for his own career.

Pope and
Council.

The Council of Pisa had hoped by the election of Alexander V to substitute one pope for two, but it merely succeeded in adding a third claimant to the existing rivals, Benedict and Gregory. Its other hope, the hope of reform in the Church as a body, was disappointed by the postponement of the whole

¹ Stubbs, *Registrum Sacrum Anglicanum* (1858), Append. v. Some of these suffragans were foreign refugees; most of them were bishops (often Englishmen) in *partibus infidelium*, i.e., consecrated with titles of imaginary sees in non-Christian lands, and employed to help English diocesans who were occupied in affairs of state, or to discharge episcopal functions for monasteries which insisted jealously upon their exemption from diocesan jurisdiction.

question to a future council. The death of Alexander within a year brought to the papal throne the notorious Baldassare Cossa. He was bound by the pledge of his predecessor to summon a general council in three years, but the council that met at Rome in 1413 was a failure. It condemned and burnt Wycliffe's writings, but it dwindled to an end without any formal dissolution. John XXIII shrank from real conciliar action ; but he was pressed hard on the one side by the imperial power of Sigismund, to whom he had been compelled to turn for support against the encroachments of the King of Naples, and on the other side by the ecclesiastical influence of the University of Paris, which was bent upon reform no less keenly than Sigismund, though on somewhat different lines. In the end, he had to consent to the holding of the postponed council at Constance, in an atmosphere of German predominance which boded ill for papal hopes.

The task which lay before the council was three-fold¹. It had to restore the unity of the Church by giving Rome once more a single pope. It had to deal with the growing demand for reform of the Church in its head and members ; for if popes and cardinals were sceptical or afraid of the possibilities of reform, bishops, canonists, and statesmen were agreed upon the question of its urgency, and differed only upon the question of its method and its extent. The council had also to face the ecclesiastical aspect of a grave crisis in Bohemia. The torch that fell from the hands of Wycliffe had been seized and rekindled by the hands of Huss and Jerome ; and the religious conflict at Prague between reformers and conservatives

Problems
before the
Council of
Constance.

¹ For the history of the Council of Constance see Creighton, *History of Papacy*, vol. i.

in doctrine and discipline was complicated by the academic rivalry between Bohemian realists and German nominalists, and by the fiercer racial antagonism between Czech and Teuton which divided both the university and the people at large.¹ The German "nation" had seceded from the University of Prague in 1409 by way of protest against the predominance given to the Czech "nation" by King Wenzel, Sigismund's predecessor, but the flame of Bohemian nationalism only burned the fiercer, and fastened the more tenaciously upon questions of religious belief and practice. Prague had become a second Oxford in its enthusiasm for Wycliffite "heresy." The unity, the discipline, the orthodoxy of the Church were the three recognised aims and objects of the council, but it was the government of the Church which was in reality the question of questions underlying all the others. Was the pope or the council the governor of the Church? The papacy had been discussed with remarkable freedom by different writers in the fourteenth century, and there were now two distinct schools within the ranks of the reformers, the Parisian, desiring only to "regulate" and "reinstate" the papal supremacy, and the German, anxious to reduce its power and to destroy its independence. The question was now before the Church in a concrete form. Constance was twice the scene of a conflict between a council and a pope. The council defeated John XXIII; Martin V defeated the council. It was in this second trial of forces that the intervention of Beaufort, whether on his own initiative or in

¹ For the University of Prague see Rashdall, *Universities in Europ. Hist.*, II, pt. i, pp. 212-232; for Bohemian crisis generally, Poole's *Wycliffe and Movements for Reform*, Milman's *Latin Christianity*, and Creighton's *History of the Papacy*.

pursuance of the policy of his sovereign, practically turned the scale in favour of the Papacy.

The composition of the council was as significant as its magnitude was imposing. It has been described as "the meeting-place of all the national interests of Christendom."¹ It was not only "a great assembly of the Church" but also "a great diet of the mediæval Empire."² Princes, barons, and knights accompanied thither or met there cardinals, bishops, abbots, and doctors. Courts and universities, as well as provincial synods, were represented. The original delegates of the English Church and nation in 1414 were the Bishops of Bath and Wells, Salisbury, and St. David's, the Abbot of Westminster, the Earl of Warwick, and five others, and they were commissioned by Henry to improve the occasion by discussing terms of alliance with Sigismund.³ During the visit of Sigismund to England in 1416 a further commission was issued to the Bishops of London, Chester (*i.e.*, Coventry and Lichfield), and Norwich, the Dean of York, the Abbot of Bury, and the Prior of Worcester.⁴ These additional delegates were intended doubtless to strengthen the English "nation" at Constance in supporting the German "nation," which stood for Sigismund's own particular policy of reform. The division of the council into nations was itself due to an Englishman. The council was formally opened in November, 1414, and when the English delegates arrived in January, 1415, Hallam, Bishop of Salisbury, proposed that the council should be organised, like the universities, by "nations," and that every

The
" Nations "
at the
Council.

¹ Creighton, i, 267.

² Lodge, *Close of the Middle Ages*, p. 212.

³ Rymer, ix, 167.

⁴ Rymer, ix, 370.

question should be decided finally by an equal number of delegates from each nation. Hallam was an old chancellor of Oxford, but his proposal was not the mere suggestion of a scholar, though its acceptance was largely due to the fact that the delegates of the University of Paris added their assent to that of the Germans, and its adoption was significant of the work which universities like Paris and Oxford had done in preparing the way for the council. Hallam's proposal was in part due to his desire to avoid another failure such as he had witnessed at Pisa. But his primary purpose was doubtless to neutralise the numerical strength of the Italian party; John XXIII had created fifty new Italian bishops for the occasion. The organisation of the council by nations was an appropriate reply to the bid which John had made for wider support in 1411 by nominating on paper fourteen cardinals from different nations, amongst them Thomas Langley, Bishop of Durham, and Hallam himself. The assertion of the nations within the Church foiled the plans of the pope. It destroyed the predominance of the packed Italian hierarchy, and it made his own deposition an immediate certainty. The voting power of the council was equally divided between Germans, French, English and Italians; it was only after the flight of John that the cardinals claimed, and were permitted, to rank as a fifth body beside the nations. But this same element of nationalism which secured the downfall of the pope wrecked the project of reform. Specific grievances were shelved because the weight of their incidence varied in different nations, and different nations accordingly felt varying degrees of interest in the removal of those grievances; and when the council had elected its own new pope,

he was able to postpone the main questions of real reform by making separate concordats with the different nations on points of detail. *Divisit et imperavit*.

Already in the second year of the council the political interests of the three northern nations began to tell upon their mutual relations at Constance. The first year had seen the ignominious deposition of John XXIII, the enforced abdication of Gregory XII, the condemnation of Wycliffe's writings, the suppression of Hus at the stake, and the passing of decrees, in spite of the cardinals, which established the authority of a general council as independent of the pope. All these acts were the work of a council in which the nations were so far in unison. The cohesion of the council and its claim of authority are both vividly illustrated by the fact that on the deposition of the pope in May, 1415, letters were issued under the seals of all the nations, instructing the Bishops of Winchester and Lichfield to collect in the name of the council all moneys due in England to the Roman court.¹ In July, 1415, Sigismund left Constance on his mission of pacification. So far he had been successful in controlling the council in the direction which he desired. The Italians had wanted to deal first with the suppression of heresy, and so postpone the problem of the divided papacy; but Sigismund had adopted and carried the proposal of the French to deal first with the rival popes. He had welcomed Hallam's suggestion for the equal recognition of the nations, just as he welcomed the earlier suggestion of the French that the delegates of courts and universities should be admitted as representing the Christian community at large. Everything promised well for

Sigismund's
policy and
its results.

¹ Wilkins, iii, 371.

a broad view of church reform, and he went hopefully on his way to detach the adherents of the anti-Pope Benedict and to close the breach between England and France, upon whose joint support he relied at Constance. His mission was a failure. He won Spain to join the council, but the rivalry of Burgundian and Orleanist baffled his hope of reconciling France and England after Agincourt, and his visit to England ended in an alliance with Henry on the ground that the French refusal of peace was prolonging the papal schism. When he returned to Constance early in 1417, the whole atmosphere was changed. Already during the earlier part of his absence the spirit of disunion was at work. Now the conflict of interests involved in the French war had driven a wedge through the council. National pride set the French against the English; and Sigismund, the practical president of the council, had become the partisan of England, helpless as such to draw the council together again. The three nations most bent on reform, England, France, and Germany, were robbed of their joint predominance by mutual suspicion, and what they lost the cardinals gained. At first, indeed, all seemed to go well. When Sigismund rode into Constance on January 27th, 1417, the Englishmen in the general procession noted with delight the collar of the Garter round his neck. The Bishop of Salisbury anticipated the design of the French doctor, Cardinal D'Ailly, and managed to occupy the council pulpit and give the address of welcome. Sigismund granted special audiences to the English nation, shook hands with them, and thanked them for supporting his own nation in his absence. The English on their part honestly seemed as faithful to his and their common policy of reform

as he described them. John Forrester wrote to tell Henry that the Bishops of Salisbury and Chester were "fully disposed by the consent of your all other ambassadors to sue the reformation in the Church, in the head and in the members, having no regard to no benefice that they have rather than it should be undone." He was quite sure that they would "abide hard and nigh all ways by the advice and deliberation of your brother the King of Rome."¹

Difficulties, however, revealed themselves at once. The one success of Sigismund's mission, the addition of Spain to the council, brought more trouble than help. First the Spaniards demanded with the French that England should count along with Germany as a single nation, to make room for Spain in the recognised number of four. This was a dramatic double revenge for the treaty of Canterbury, which had bound Germany to England. England was to be punished at the council by effacement, Germany by isolation. The demand was eventually dropped, but it was followed by a more serious development of antagonism. The Spaniards demanded that the preliminaries of a new papal election should be the first question to be discussed. The long latent issue was now revealed. Was the contemplated reform to be real reform by the council or nominal reform by a pope? For various reasons the French drew closer to the party which stood for the rights of the Roman Curia; and the council resolved itself into a trial of strength between Sigismund and the cardinals—the champion and the opponents of the cause of reformation. In July, 1417, the cardinals consented to let reform precede the election; Sigismund had to waive the idea of a general reform, and accept a reform

Contest
between
Sigismund
and the
Cardinals.

¹ Rymer, ix, 434.

English
policy
at the
Council.

of the papal office and court only. The cardinals at once re-opened the question and pressed for an immediate election. They suspected or pretended that Sigismund with Henry at his side designed to make himself master of Europe, and they were anxious to get their pope elected by the council before Sigismund got his way with the council. Sigismund's position grew rapidly weaker. The death of Hallam on September 4th removed a strong man whose support of Sigismund had held the German and the English "nations" together, and Sigismund found to his surprise that the English had begun to negotiate with the cardinals as to the procedure of election. It was from the cardinals that Sigismund heard of these negotiations. At first he was incredulous; when the Bishop of Lichfield admitted the fact, and still professed a desire to follow his lead, he was indignant, and used strong language. It was indeed to all appearance an inexplicable change of front. Hallam's death was a great loss to the English, but such a change of front can scarcely be explained as the mere mistake of a helpless party bereft of a leader who had been the very embodiment of its policy. We have, moreover, the definite statement in the journal of Cardinal Filastre that "the four nations of Italy, Gaul, Spain and *England (which at the bidding of the King of England abandoned the King of the Romans in this matter)* and the college of the cardinals insisted upon the hastening of the election; the King and nation of Germany upon the pursuance of reformation."¹ This direct statement stands alone, but it agrees with the indirect evidence of other facts and documents. On July 18th, 1417, Henry wrote a stringent letter to Constance, forbidding his lieges at

¹ Finke, *Konstanzer Konzil*, p. 227.

the council to enter into conjunction with any other "nation" without the knowledge of the English bishops, on pain of dismissal and confiscation, and instructing the English bishops to decide differences of opinion within the English "nation" by the voice of the majority.¹ It has been conjectured from the sequel that this letter was suggested by Archbishop Chichele, and was intended to check the intrigues of agents of Beaufort, who was himself anxious "to strengthen the papal against the imperial party."² It is safer to read the letter itself in the light of the events which preceded its writing. Henry was face to face with the fact that the treaty of Canterbury was a failure as far as the French war was concerned. Sigismund was beset with difficulties, financial and military. He did not declare war on France until March, five months after his parting with Henry at Calais, or ratify the treaty of Canterbury itself until May 24th, and the only vassal of his who came to the muster of the imperial forces in the summer was Henry's son-in-law, Louis of Bavaria. It was probably the disappointment of Henry's expectations that led him to revise his policy, and take a step which to an observer from another point of view seemed to amount to the abandonment of Sigismund. It would be unfair to regard Henry as in any sense repudiating his alliance with Sigismund. His idea was probably rather to bring the lingering difficulties at the council to an end with a view to hurrying Sigismund into action on the French border. The conclusion in question involved the sacrifice of Sigismund's dream of reform in the Church, but the war came first with Henry as the council came first with Sigismund, and

¹ Rymer, ix, 466.

² Hook, *Archbishops*, v, 68.

the war at that moment was entering upon its second and more urgent stage. In the light of these considerations it is probable that Henry's letter in July was intended to secure the loyalty of the English nation at Constance to the new policy which was to be revealed shortly by the action of their recognised leaders. When the time came for the next move, it would need the solid support of all his lieges.

Meanwhile Sigismund was conscious that his relations with Henry were strained. Twice in August he wrote to Henry, explaining that nothing but the vexatious delays at the council had kept him from taking the field, and promising to join Henry without fail in May, 1418. Meanwhile, he pleaded for Henry's sympathy and support in the cause of reformation, which was proceeding slowly but surely. The death of Hallam on September 4th was a double misfortune. It robbed Sigismund of a strong and loyal friend. It robbed the English nation of a strong and wise leader. It is quite possible that Hallam had received from Henry in July or August instructions to use his discretion as to the time and terms of the inevitable compromise.¹ On his death his colleagues did clumsily what he would have done with tact and care. They may have regarded their conference with the cardinals as the first step in a mediation between the cardinals and Sigismund, but the secrecy of the conference was a confession of desertion. Sigismund was driven to consent on October 2nd to the election of a pope without anything beyond a vague promise that the pope should deal with the problem of reformation immediately after his election. The advocates of reform as a body had to be satisfied with a decree of the council on October 9th providing for the

¹ Creighton, i, 392, 393.

frequent recurrence of general councils. Then the cardinals repudiated altogether the idea of binding the future pope in any way, and Sigismund's last hope of any security for reform disappeared. The final difficulty arose over the question of the precise part to be taken by the cardinals in the now all-important election. It was at this juncture that Beaufort appeared upon the scene.

Beaufort had resigned the great seal on July 23rd, and gone off with his pilgrim's letters of safe-conduct about the time apparently of Henry's departure for his campaign in Normandy. Nothing is known of the earlier stages of the bishop's pilgrimage, and the absence of any record of his doings in August has led some writers to place his visit to the Holy Land immediately after his resignation of the chancellorship. The original chroniclers, however, are precise enough in stating that it was on the outward journey to Jerusalem that the bishop intervened in the affairs of the council at Constance; and it so happens that the Acts of the Privy Council contain two letters written by him to his friend the chancellor, the Bishop of Durham, and dated from Bruges on September 4th and 5th, dates which leave no room for a journey to the East and back again between the end of July and the beginning of October. The letters themselves are interesting as proofs of the pilgrim's incidental attention to matters of business which appealed to him as an English statesman.¹ In the second letter the ex-chancellor transmits to his successor the anxious enquiry of Mistress Salvayn at Calais, who had asked him as he passed through that port to find out whether it was the King's pleasure that her husband, Roger Salvayn, should hold

Beaufort's
pilgrimage.

¹ *Proceedings*, ii, 234, 235.

Commer-
cial
interests :
the
Flemings
and the
Genoese

the office of treasurer or not. The good lady wanted either a commission or a discharge from the council, for her husband was on the King's service elsewhere, and meanwhile she was paying the officials of the treasury out of her own pocket. Beaufort's first letter was an appeal to the chancellor, made at the request of the burgomaster and citizens of Bruges, to see to the restitution of Flemish goods which had been seized on board of a Genoese carrack at Plymouth. The ex-chancellor enforced the appeal by the shrewd argument that he could see clearly that in default of such restitution the aggrieved Flemings would retaliate by laying their hands upon the property of English merchants at Bruges to more than ten times the value of the missing cargoes. This question of maritime law was a standing grievance. It was one of the matters entrusted to the bishops and lords accredited in October, 1414, as delegates to the Council of Constance and as ambassadors to Sigismund; and in November, 1414, the question was discussed in parliament, and reference was made then to the Bishop of Winchester as acting along with these ambassadors on a commission appointed to adjudicate upon the disputes arising out of letters of marque granted to English merchants against the Genoese.¹ Beaufort's name occurs again in a later stage of the negotiations. In a fragmentary letter from the Bishops of Bath and of Lichfield to the King in Normandy, congratulating him on his successes there, we read: ". . . After time of . . . Lord of Winchester coming hither, Count Berthold of Ursins and Lord Brimorinis of Laschalla deputed by the emperor have been with my forsaied . . . of Winchester and with us your priests of Bath and of Chester, and

¹ *Rot. Parl.*, iv, 50.

communed of accord betwixt you and them of Genoa, and now at the last . . .” The two bishops requested the King’s commands on this matter, which they had postponed “again standing that our commission is not available by cause that my Lord of Salisbury that was, the which God assoil . . .”¹ This reference to the Bishop of Salisbury’s death as invalidating their commission in this matter (granted in December, 1416) fixes the date of the letter far on in September or later still. Evidently the Bishop of Winchester had not forgotten the problem of contraband of war even amid the greater problems of the Church at Constance. This time, however, the problem was to detach the Genoese warships from the side of France. At Bruges it had been to satisfy the Flemings, at peace with England, who had suffered from the English retaliations upon innocent Genoese trading-craft. Both before and after this date Beaufort appears as the upholder of peace or alliance with Flanders. His object was no doubt to guard the interests of English commerce, and incidentally his own, if it is true that he was the greatest wool-merchant in England. Burgundy, the lord of Flanders, was as important in this way as in the matter of support or neutrality in the French war.

Early in October the pilgrim-bishop was at Ulm, in suggestive proximity to the council at Constance.² It is not clear whether the English nation had been in communication with Beaufort before their desertion of Sigismund, or whether his arrival at Ulm took them by surprise. Cardinal Filastre merely states in his journal that while the question of the election was still

Beaufort
at
Constance.

¹ *Proceedings*, ii, 236, 237.

² For discussion of the date of his arrival, see Creighton, i, 395 n.

in suspense, the English told the cardinals the news of his arrival at Ulm, spoke of his great interest in the unity of the Church, and urged them to invite him to come to Constance and give him a free hand to negotiate with the King of the Romans. The cardinals accepted the suggestion, and wrote at once. Sigismund also wrote to him. The Bishop of Lichfield went to fetch him, and he entered Constance in the garb of a pilgrim carrying his cross. He was met by the King of the Romans and three cardinals; and after a few days' conference, under his mediation, between cardinals and delegates of the nations on the one side and Sigismund on the other, the disputed points were settled.¹ It was once supposed that the question referred to Beaufort was whether the work of reformation should precede or follow the election of a new pope, and that what Beaufort did was to decide for the priority of the election.² Filastre's diary has cleared up the whole matter. It is plain from that diary that Sigismund had already consented, however reluctantly, to the precedence of the election, and that the grounds of dispute still left were (*a*) the precise form of the guarantee to be given by the cardinals that the new pope should undertake the task of reformation before the dismissal of the council, (*b*) the particular articles of reformation to be taken in hand by the new pope and the council. The guarantee was finally refused by the cardinals altogether. Of the articles of reformation, "but few could be agreed upon, and those with difficulty," probably those which were adopted by the decree of the council on October 9th, viz., the summoning of

¹ Finke, p. 227.

² Hook, *Archbishops*, v. 70; *Church Qu. Review*, xii, 383 (1881).

a general council in seven years and then every five years, the right of a council to summon itself in case of schism, the redress of such grievances as compulsory translations, etc. The "nations" could not combine to any further extent than this. What Beaufort did was not to decide for the election of a pope before the facing of the problems of reform, but to mediate between Sigismund and the cardinals in the settlement of the details of procedure. The compromise finally accepted was as follows. A guarantee of reform was to be embodied in a decree of the council; those points in the report of the commission of reform on which all the nations were agreed were to be laid formally before the council for its collective approval; and commissioners were to be appointed to determine the method of election. The final results of this compromise were embodied in decrees passed on October 30th.

It has been conjectured that Beaufort was actually sent by Henry to convey to Sigismund a personal explanation of Henry's conversion to the necessity or wisdom of a compromise, and to co-operate with him in carrying out the altered Anglo-German policy.¹ Some such explanation was certainly due to Sigismund in the first instance, and was doubly necessary after the tactless haste with which the Bishop of Lichfield and his colleagues had begun to act in the new direction. It is difficult, however, to determine when Beaufort received such a commission. It may have been sent to him in Flanders after Hallam's death had removed the one man at the council who could discharge such a duty to his master's ally and give effect to his master's policy. But it is difficult to account in this case for Beaufort's delay of his

Policy of
Henry V
at
Constance.

¹ Creighton, i, 392.

journey to the East, except on the supposition that he was waiting for the possibility of a chance of distinction in some way. It is more probable that the commission was given to him in July. Henry's letter requiring his lieges at the council to stand by their leaders was written on July 18th. On that same day Henry gave Beaufort security for the repayment of his loan of £14,000 ; on July 21st he gave him permission to go on his pilgrimage ; and on July 23rd the bishop resigned the chancellorship. The coincidence is remarkable indeed if it is nothing more than a coincidence.

Henry's motives were probably complex.¹ He was too earnest a churchman after his fashion to jeopardise the work of the council merely for the sake of claiming the active co-operation of Sigismund in the French campaign of 1417. Perhaps he despaired of any further activity of real value on the part of the council. Perhaps he was doubtful whether Sigismund's idea of reform might not prove too extreme. Perhaps he regarded the legislation of the fourteenth century as a sufficient safeguard against the worst abuses of papal intervention in England. Perhaps he was anxious to avoid the establishment of French influence at Rome. Perhaps he was eager to win the credit of a successful compromise. Probably in any case he had come to the conclusion that Sigismund and himself would gain more for their own interests and for the common interests of the Church by simply endeavouring to secure a satisfactory method of electing a new pope than by stubbornly resisting the growing strength of what was now a majority of the council. Both in the immediate problem of reform in the Church and for the ultimate

¹ Creighton, i, 392, 393.

prospect of a crusade of united Christendom against the Moslems of the East, the personal attitude of the new pope was a factor not to be ignored, and that attitude would be shaped largely by the line that Henry might take in the question of the coming election.

If it is difficult to do more than enumerate possible factors in Henry's change of policy, it is easy to moralise upon its undoubted results. On the one hand Henry missed an opportunity of doing what was done under less reputable circumstances by a later Henry. The independence of the English Church might have been asserted and maintained. In April, 1416, King and parliament instructed the metropolitans to confirm the election of bishops without waiting for the conclusion of the papal schism. "But Henry had no wish to break with established traditions. His aim was to restore old ideals, not to create a new order."¹ His theory of the reform of Christendom, if he had a reasoned theory as well as a devout instinct, ran on the lines rather of the French school than of the German. He was content with the constitutional precautions which enabled him to check the papal claim of jurisdiction when it conflicted with national interests. But Henry not only failed to see or refused to take the opportunity which might have antedated the constitutional side of the English reformation of the sixteenth century. He must be held responsible in part for the postponement of a general reformation of the Western Church as a whole. By the conclusion of the council under such circumstances—circumstances partly due to the intervention of Henry—"the old system was perpetuated, and the Reformation in the technical sense of the word became

¹ Kingsford, *Henry V*, p. 270.

inevitable. For good or evil Henry of England had his share in bringing it about."¹

Beaufort a
candidate
for the
Papacy.

There is no evidence to show whether Beaufort was at all responsible for the change in Henry's attitude towards the problems of the council. It is possible that the chancellor's enthusiasm over the Sigismundian alliance was giving place already in July, 1417, to visions of European influence for England, and of diplomatic laurels or ecclesiastical honours for himself, but the possibility is a matter of pure surmise. What is certain is that in October the Bishop of Winchester came within measurable distance of being the new Bishop of Rome, and that he was regarded by some members of the council as having laid his plans or having had them laid for him by Henry and Sigismund with that very prospect in view. According to the scheme adopted in the decree of October 30th, the election was to be made by the twenty-three cardinals and six deputies from each of the five nations. The majority to be required was two-thirds of the cardinals and two-thirds of each set of national deputies. The conclave began on November 8th. The six deputies of the English nation who entered the conclave were the Bishops of London, Bath, Norwich, and Lichfield, the Abbot of Bury and the Dean of York. On the ninth the method of voting was arranged. On the tenth came the first scrutiny of votes, which proved indecisive. On the eleventh four cardinals were found to be well ahead of the rest of the candidates, one of them, Oddo Colonna, having the necessary majority in the Italian and English nations. The English, in fact, voted solidly in his favour. The second scrutiny gave Colonna the required majority in all five nations and the votes

¹ Oman, p. 263.

of fifteen cardinals, and the accession of two more cardinals made him pope-elect. Such was the course of the voting proper, to judge from the pages of Filastre's diary, apparently the most trustworthy of the conflicting accounts of the election. But much lay behind the actual voting. Beaufort's name was evidently considered, if not adopted, among the candidates supported by the delegates of the English nation when they entered the conclave. Walsingham says that the Bishops of Winchester and London and "the cardinal of France" (the famous Parisian doctor D'Ailly, Cardinal of Cambrai) were all nominated, but that Bishop Clifford of London announced his intention of voting for Colonna, and the rest of the electors followed his lead.¹ Gascoigne attributes D'Ailly's failure directly to Beaufort: "another good doctor of France would have been elected, had not the intrigue and industry of the Bishop of Winchester, Henry Beaufort, hindered that result."² Here again it is the graphic account of Cardinal Filastre which reveals the forces at work behind the scenes. He speaks of the growing suspicion and the yet more general rumour to the effect that Beaufort's voyage to Jerusalem was a mere pretence, since few or none would begin so long a journey in the winter. The pretended voyage and the actual visit to Constance, men said, were parts of a plan designed by Sigismund and the English to bring Beaufort within reach of the election, and the mediation of the bishop was intended to win him the gratitude and admiration of the council, and so to secure his election. Certain great prelates were asked to give their consent and support to his candidature, Filastre says; and even among

¹ Wals., ii, 320.

² *Loci e libro veritatum* (ed. Thorold Rogers), p. 155.

the cardinals there were some who urged the holy college to approach Beaufort on the subject, though others again deprecated such a step.¹ An incidental remark of Filastre's elsewhere pushes the bishop's candidature back into October. The precise scheme adopted on October 30th in the formation of the electing body was drafted originally by the French nation. The other nations accepted it readily. It gave them, all told, thirty votes against the twenty-three assigned to the cardinals, and the requirement of a majority in each of the sections of the conclave secured full weight for each of the six votes of any dissatisfied nation. The cardinals were the last to accept the scheme. But they were not the only party whom it was intended to neutralise. Filastre says that the French had two reasons for framing the scheme as they did. One was their fear of the Italian majority in the college of cardinals; the other was their suspicion of the secret canvassing on behalf of the Bishop of Winchester.² They might not be able to secure the election of their own candidate D'Ailly. But they had no intention of being compelled to accept an Italian nominee of the cardinals unless he were acceptable to the handful of French electors; and they had every intention of using those six votes to close the door against an English pope, who had laboured in embassy and privy council to enforce his master's claim to the throne of France.

Such appears to be the most credible view of the crisis. The five contradictory accounts of the election given by the original authorities are probably to be explained as representing not the actual progress of the election but the proposals made within each

¹ Finke, 227.

² Finke, 231.

nation.¹ They reflect the conversation of the deputies afterwards on the subject of their favourites. It seems clear that Beaufort was a candidate for the papal chair, practically if not formally, at an early stage in the proceedings. Apparently he withdrew from his candidature, or the English withdrew their support from him, when the time came for the actual nomination of candidates, or when the first stage in the election began. Either withdrawal or both would be inevitable as soon as it became evident that the English candidate would not have the support of the cardinals, and the English vote would naturally be transferred in that case to the candidate who was apparently acceptable to Sigismund and who had the advantage of not being in the first instance the favourite either of the cardinals or of the French.

¹ Creighton, i, 453.

CHAPTER V

THE SERVICE OF THE PAPACY AND OF THE CROWN 1418-1422

Beaufort
appointed
Cardinal
and Legate.

THE Council of Constance had chosen a head, and found a master. Beaufort had made a friend, and opened out for himself a new prospect. On December 22nd the college of cardinals wrote to Henry V, describing the election of Colonna, who had taken the title of Martin V from his election on St. Martin's day, and gratefully commending the services of the English ambassadors at the council to the recognition of their sovereign. The cardinals had no doubt as to the side which had gained most from the intervention of the English nation and the mediation of the Bishop of Winchester. They knew full well that they had by that intervention been enabled to save their own privileges, and the prestige of the Papacy. Martin realised the situation as clearly as the cardinals. On December 23rd he wrote to Henry to announce his own election. Beaufort's turn came next. His candidature was forgotten or forgiven, and his services were rewarded and his disappointment consoled by the highest dignity that the Papacy had to confer. On December 28th Martin issued at the council in Beaufort's presence a bull appointing him cardinal, without any special title as yet, and legate of the apostolic see in England, Wales, and Ireland, and promised to publish the appointment on the first convenient occasion, and to send him the insignia of his new office.¹ On January 9th, 1418, Martin

¹ Wharton, *Anglia Sacra*, i, addend. 800.

entrusted the bishop with the task of receiving Baldasare Cossa, the deposed John XXIII, from the hands of Louis, count palatine of the Rhine, who was sending him to the Pope at the desire of Sigismund. Beaufort was requested by the Pope to place Cossa formally in the custody of the count as the prisoner of the Papacy.¹ It was but a slight commission, but it was an indication that Beaufort was entering the service of a second master. It remained to be seen what his first master would say. However certain it seems that Henry of England was the author of the policy which practically played into the hands of the future pope, it is uncertain whether or not he was responsible for the secondary idea that the future pope might be an Englishman. That idea may have been Beaufort's own, and it is an open question whether or not it was acceptable to Henry. On the whole, it is probable that Henry would have welcomed this solution of his diplomatic difficulties abroad, and of such ecclesiastical difficulties as he felt at home. But Beaufort as pope and Beaufort as the minister of an Italian pope were two very different things. Martin had scarcely shown his hand at the council as yet. The various instalments of reform were still under discussion. But his motives in making Beaufort both cardinal and legate were fairly obvious. The cardinalate alone might have been a mark of pure gratitude for the mediation which had paved the way for his election. But the addition of the legatine office revealed an ulterior purpose. The gratitude of the Pope was evidently quickened by a lively anticipation of favours to come. It is plain enough from Martin's subsequent procedure that he counted upon Beaufort's help in bringing the English Church back into subservience to papal

¹ Rymer, ix, 540.

claims and in obtaining from the English realm the modification, if not the repeal, of its anti-papal legislation. The statute of Provisors might lie unused, but its existence was a barrier against the free exercise of the papal claim to the right of presenting to all benefices, diocesan or parochial. The statute of *Præmunire* might slumber for a generation, but it might awake at any crisis to forbid the appeal of an English churchman to Rome, or the acceptance of a bull, or the admission of a legate from Rome within the borders of the realm of England. Beaufort could scarcely have been ignorant of Martin's intention or unwilling to contemplate what it might involve. When the inevitable choice had to be made between the two courses, loyalty to the Papacy and loyalty to his country, the Englishman in Beaufort won. But he was apparently prepared to play the double part as honestly as he could, and to postpone the question of the priority of allegiance until a crisis occurred. It is possible that he relied upon the known orthodoxy and fidelity of Henry as a churchman to postpone the crisis for a long time. He had counted however, without the archbishop and the King. Chichele wrote to Henry on March 6th, 1418, a long letter of protest against the appointment of a permanent *legatus a latere*.¹ The whole letter repays careful reading as the plea of an English primate who strove to reconcile deference to the Papacy with the defence of the autonomy of a national church. He reminded the King that on September 25th, 1417, *i.e.*, during the dispute over the coming election which was ended by the mediation of Beaufort, he had given written instructions to the primate, Bedford, and the chancellor, that no subject of his was to communicate

Protest of
Archbishop
Chichele.

¹ Duck, *Life of Chichele*, pp. 77-80.

with the future pope-elect until the election had been announced to the King and acknowledged by him according to the custom of the English realm. He said that he had heard, privately at first and now more openly, that "my brother of Winchester should be made a cardinal, if ye would give your assent thereto, and that he should have his bishopric *in commendam* for the term of his life, and thereto have a state, and (be) sent to your realm of England as a legate *a latere*, to the which manner of legacy none hath been accustomed to be named but cardinals, and that legacy also to occupy through all your obeisance (*i.e.*, through all lands under Henry's rule), and all the time of his life." The archbishop protested that in the first place such an appointment was an intrusion into the constitutional working of the Church of England. "Blessed be Almighty God, under your worthy protection, your Church of England is at this day the most honourable church Christian as well as divine service as honest living thereof, governed after strait laws and holy constitutions that be made of them without any great exorbitances or anything that might turn to high slander of your foresaid Church or of your land; and if any trespasses of man's frailty falleth we may be corrected and punished by the ordinaries there as the case falleth." Secondly, it was an office charged by canon law with great actual powers, as the King would see from the enclosed "scroll," in which the archbishop had set down all that was "expressed in the pope's law and concluded by doctors" as to the functions of a legate. Moreover, it was unlimited in its possible extension by the pope, "for it stand in his will to dispose as him good liketh." Thirdly, it was a transgression of all precedent. Laws and

chronicles alike bore witness that such legates had only come into England for great and notable causes, and only for such time as was necessary to complete the special business for which they came, such time varying from two months to a year or less. The only permanent legate was the Archbishop of Canterbury, who was *legatus natus* by virtue of his office. Such was the case against the proposed permanent *legatus a latere*. The primate ended his letter with a petition that the King would consider the matter and see first that "the state of the Church be maintained and sustained, so that every of the ministers thereof hold them content with their own part"—a hint perhaps at Beaufort's personal ambition—"for truly he that hath least hath enow to reckon for"; secondly, "that your poor people be not piled nor oppressed with divers exactions and unaccustomed, through which they should be the more feeble to refresh you our liege lord in time of need and when it liketh you to clepe (*i.e.*, call) upon them"; and, thirdly, that "all pleas and slander cease in your Church," a hint at the danger of a spirit of litigation being awakened by the judicial claims of a legate over against the regular working of the "courts Christian" of archdeacon and bishop.

Prohibition
by
Henry V.

The archbishop's protest on behalf of the interests of the nation and of the dignity of the crown met with immediate success. Henry's response was to forbid Beaufort's acceptance of the papal offer. Hall says that Henry was minded "that cardinals' hats should not presume to be equal with princes"; and in 1440 Gloucester attributed to Henry the remark that "he had as lief set his crown beside him as to see him wear a cardinal's hat." Gloucester added then a comment of his own: "for he knew full well the pride

and ambition that was in his person, then being but a bishop, should so greatly have extolled him more into the intolerable pride that he was cardinal." Henry may have noted and remembered indications of danger in the temperament of his uncle the bishop, but it is more likely that the grounds on which "the state of cardinal was nayed and denied him by the King" were at once deeper and higher. Gloucester was taking up a stronger position when he proceeded to lay stress on Henry's loyalty to the claims of Canterbury. "And also him thought it should be against the freedom of the chief Church of this realm, which he worshipped duly as ever did prince. . . . Howbeit that my said lord your father would have agreed him to have had certain clerks of this land cardinals, they having no bishoprics in England; yet his intent was never to do so great derogation to the Church of Canterbury to make them that were his suffragans to sit above their ordinary and metropolitan; but the cause was that in general councils and in all matters that might concern the weal of him and of his realm he should have promoters of his nation, as all other Christian kings had, in the court of Rome, and not to abide in this land as any part of your council, as be all other lords spiritual and temporal at the parliaments and great councils, when your list is to call them."¹ Gloucester's recollection of his late brother's attitude on this question was probably correct and truthful. It was the attitude of the typical English churchman of that day. Some such attitude Henry V certainly took and maintained in 1418, and Beaufort was compelled to acquiesce in the King's prohibition, and to find consolation for

¹ Stevenson, *Wars in France*, ii, 441.

The Pope
and the
King.

his own disappointment in the resumption of his long-interrupted pilgrimage to Jerusalem.

Beaufort was not the only person who was disappointed by the sequel of the election at Constance. The remainder of the sessions brought but little gain to the cause of reformation. Martin alternately conceded and evaded, and conciliated and refused. On March 21st a few statutes were passed limiting or withdrawing certain minor claims of the Papacy. But twelve of the eighteen articles of reform were settled by separate concordats with the different nations concerned. The English concordat, signed on July 12th, 1418, "stood alone for its brevity and trivial character ; the will of parliament and a strong ruler were a sufficient protection for the English Church."¹ Martin and Henry remained on friendly terms, but neither was satisfied with the other. In 1418 Martin tried to influence the negotiations between England and France in favour of the latter, and to fill English benefices with favourites of his own ; and Henry had to instruct the Bishop of Lichfield, who had gone from Constance to Rome, and was now the English agent there, to tender respectful but firm remonstrances against both of these intrusions. In 1419 an English agent of Martin's brought to Henry at Mantes an urgent request for peace in France and for the repeal of such laws in England as hindered the action of the apostolic see. Henry's only answer was that he would let the Pope know when he saw his way to the peace which he desired, and that he was bound to maintain the laws of his realm.² Martin had to hold his hand and wait his time. Meanwhile his policy was now plain enough to read ; there could be

¹ Kingsford, *Henry V.*, p. 274.

² Rymer, ix, 806.

little doubt in Beaufort's mind in 1426 what the renewal of the offer of the cardinalate in that year was expected to produce in the way of service on his part.

The personal relations between Beaufort and the King remained undisturbed by the prohibition of the cardinalate in 1418. The fact redounds to the credit of both men. It also discounts largely the subsequent language of Gloucester on the subject of Beaufort's arrogance and Henry's suspicion. Henry could still trust the bishop, and the bishop was as ready as ever to serve his king. On the very next occasion on which the bishop appears in history, he appears in close conjunction with Archbishop Chichele, and the King's two brothers, Clarence and Gloucester, in attendance upon the King himself, and in partial charge of important, if fruitless, negotiations with Burgundy and France. Henry's successes in Normandy in 1417 and 1418 had not blinded him to the difficulties of his position, and he actually wrote to the council to give reasons for considering the question of an alliance with the discontented Dauphin.¹ At last a conference was held in May, 1419, near Meulan-on-Seine between the chief personages concerned in the war. Burgundy brought the Queen of France and her daughter Katharine ; the poor King was too mad to come. Henry was attended by two brothers, Bedford and Clarence, Archbishop Chichele, and his two uncles, Henry the bishop and Thomas the soldier. A preliminary discussion ended in an agreement not to withdraw from the conference except after a week's notice, and the five lords were authorised by Henry to conclude the expected treaty. Henry, however, though delighted with the princess,

Negotiations in France, 1419.

¹ *Proceedings*, ii, 350-358.

was not minded to lessen his demands or temper his refusals. He asked for the absolute sovereignty of the Bretigny dominions and Normandy besides, all of which Burgundy was at first prepared to grant. On the other hand, though he consented to renounce his claim to the French crown, with a saving clause to cover all lands ceded by this conference, he refused to surrender his claim to supremacy or possession in Brittany, Anjou, Maine and Flanders; and he declined to promise that the treaty should be ratified by his brothers and by parliament. This last refusal did much to alienate Burgundy, who was then being offered peace and power by the Dauphin if he would break off his advances to the English. The suspicion of this understanding led to high words between the King and the duke at their interview on June 30th, and on July 3rd the duke never appeared at all. The conference was at an end.¹ Queen Isabel wrote to Henry in September to lay the blame upon the Dauphin, but the blame lay largely with the unreasonable temper of the King. As it happened, however, the treachery of the Dauphin gave back to Henry the opportunity which he had thrown away. On September 10th, Duke John the Fearless was murdered as he knelt before the Dauphin at Montereau, and his son, Philip the Good, sacrificing every other consideration to the desire of revenge, put himself unhesitatingly on the side of the English. "The crime of the Dauphin placed France at Henry's feet."² In December the young duke accepted Henry's terms. Early in 1420 Bedford returned from England to

Treaty of
Troyes.

¹ For the conference see T. Elmham, pp. 216-225; J. J. Ursins, 549-552; Monstrelet, pp. 453, 454; Rymer, ix, 759-764, 789, 790; Ramsay, i, 270-272.

² Stubbs, iii, 91.

help Henry in organising the government of Normandy. On May 21st "the great peace" which had been concluded in detail by Henry's envoys was sworn and sealed in the cathedral of Troyes by the Queen of France, the Princess Katharine, and the Duke of Burgundy, the King of France being too helpless to be seen abroad; and on June 2nd the princess was married to Henry, "King of England and heir of France."

Beaufort was back again in England in October, 1419, acting as a trier of petitions from subjects at home and as a member of a commission of peers appointed to raise loans for the King on the security of the new subsidy. In the parliament of December, 1420, he was nominated again as a trier of petitions from the realm at home. Between these two parliaments must be placed one of the episodes of knight errantry in which the soldierly side of the bishop's character found exercise. The Treaty of Troyes had not been recognised by Pope Martin or Castile or Scotland, and some even of the vassals and allies of Burgundy repudiated its terms. Sigismund, however, and Henry's brother-in-law, Ludwig of Bavaria, accepted the situation, and in July, 1420, Ludwig, "the red duke," was fighting in Henry's army at the siege of Melun, near Paris. There is no record of Beaufort's presence at this time; but if the French chronicler Wavrin is to be trusted, the bishop had been associated with Ludwig, apparently earlier in the same year, in a crusade against the rebellious Bohemian subjects of Sigismund. The Bohemian insurrection, in part a nationalist movement against German supremacy, was fanned into religious fury by the indignation which Sigismund had awakened by his share in the martyrdom of Hus and Jerome at

**Beaufort
with the
German
Crusaders.**

Constance. The death of Wenzel, King of Bohemia, in August, 1419, left Sigismund in the position of lawful claimant to that kingdom, and he proceeded to enforce his authority with a merciless severity which spared neither patriot nor heretic. In March, 1420, the papal legate issued a bull proclaiming a crusade against the Bohemians. It was apparently at this stage that the campaign began of which Wavrin has given a graphic account from his own experience as an eye-witness in the Savoyard contingent. The crusade was headed by various German princes, the Bishops of Cologne, Trèves, Liège, and Mayence, and Ludwig of Bavaria, some forty-two magnates in all. They entered Bohemia, ravaging as they went, and besieged Souch (? Saatz), only to break up in a month from sheer jealousy and suspicion of each other's designs. The dispersion was hastened by a message from the Emperor recalling his vassals and forbidding any further advance. The zeal of the crusaders had outrun their loyalty as feudatories. "In this army," writes Wavrin, "was the Cardinal of England, who seeing the confusion said in great displeasure that if he had had six thousand English archers that day he would quite easily have beaten all the troops that were there, and he said truly, for no one waited for another, and it was a wonder that no disaster happened to them, as it would have done if their enemies had been people of any enterprise."¹ It is uncertain what Beaufort, who is here described by the title which he held when Wavrin wrote, was doing on the German border. He may have been executing a commission from his king. Ambassadors of the Archbishop of Cologne were in communication with the privy council in 1416; and in 1419 Henry

¹ Wavrin, Eng. Trans. (Rolls Series), ii, 309.

had envoys bidding for the support of the prelates of Trèves and Mayence, and looking for a wife for his brother Bedford among the princesses of Germany. Beaufort's presence in the crusading army may have been an unauthorised extension of a mission to Ludwig from his brother-in-law of England. Perhaps Beaufort had gone to claim the support which Ludwig actually gave to Henry later in the year, or to report to Sigismund the relations between Henry and Burgundy and the prospect of the coming treaty with France. On the other hand, Beaufort may have been tempted by want of occupation in France to venture further afield in search of fresh interest on the scene of his achievements of 1417. Whatever was the reason of his presence, his experience on this occasion was perhaps in two ways the precursor of his more famous adventure in Bohemia in 1426. The crusade of 1420 taught him the need of a strong hand to weld and wield the forces of the Empire in the cause of the Church ; it also brought him once more to the notice of the Pope whose first anti-Hussite movement had here met with such ignominious failure.

The parliament which met in December, 1420, under the presidency of Gloucester, was concerned chiefly with the question of hastening the King's return. Affection for his person, difficulties in dealing with matters requiring royal consent, fears of the subordination of England to France, all combined to add earnestness to their appeal to the King ; and Henry left France in January, 1421. Clarence remained behind as his lieutenant in France and Normandy ; Thomas Beaufort, now Duke of Exeter, as governor of Paris. Henry of Winchester returned with Bedford and other peers in the King's retinue. Henry's own welcome in London was quieter than his

**Return to
England
with the
King.**

**Beaufort's
Loans.**

reception in 1415, but the loyalty of the city broke out in pageant and pomp again on the arrival of his Queen a week later. Katharine was crowned in Westminster Abbey on the last Sunday in February, and the coronation was followed at once by a magnificent banquet in the hall at Westminster which fills pages of the chronicle of Gregory, himself mayor of London thirty years afterwards.¹ "First the Queen sat in her estate, and the Archbishop of Canterbury and the Bishop of Winchester sat on the right side of the Queen, and they were served next unto the Queen every course, covered as the Queen" with all manner of cunning "subtleties" or designs in confectionery. Bedford was present as Constable of England, Gloucester as "overseer" of the whole array. The King was absent in accordance with etiquette; it was the Queen's day. After the festivities Henry took his Queen on a royal progress. As a devout churchman he had shrines to visit; as a wise sovereign he was anxious to confirm the loyalty of his subjects and to kindle their patriotism to fresh sacrifices for the conquest of his new heritage. On leaving Beverley he was met by the news of disaster. Clarence had paid for a rash venture with his life at Baugé on Easter eve. Henry finished his round of visits and returned to open parliament on May 2nd. The Treaty of Troyes was duly confirmed, but money was not forthcoming. "In the which parliament," writes the chronicler, "was axed no tallage, wherefore the Bishop of Winchester lent the King xx M^l. pound."² This loan has been justly described as "a proof of private confidence even more signal

¹ Gregory, pp. 139-141.

² Gregory, p. 142.

than any which the parliament could give."¹ The bishop had been repaid only a third of the £14,000 which he lent the King in 1417 ; yet he consented to lend a further sum of £14,000,² making in all £22,306 18s. 8d. now due to him, which the chronicler mistook as one fresh loan. Beaufort was in fact the friend indeed in time of need. The urgency of the King's need was proved by the extreme step which he had just taken. In April he issued commissions for raising loans from individuals, and instructed his officers to report to him all refusers. With all its loyalty parliament in May offered no subsidy. The King's financial difficulties were well known. An estimate laid before the council on May 6th showed that of the gross revenue of less than £56,000 over £52,000 was required for regular expenditure, leaving £3,500 for a variety of occasional charges and nothing for the heavy debts of Harfleur, Calais, and the admiralty, and for the debts of the late King's will, or Henry's own debts as Prince of Wales. Perhaps parliament thought that the cost of the war should now fall on the King's new dominions, in spite of his recent warning of the danger and injustice of burdening Normandy ; perhaps the King's own action in raising loans seemed to relieve parliament of the duty or the necessity of coming to his assistance.³ All that parliament did, at any rate, was to empower the council to give security for the payments thus contracted by the King for his coming campaign. The vote was a proof of the confidence of the nation, but it was also a shirking of its burden. The consciousness of this relief found apt expression in the petition of the

¹ Stubbs, iii, 93.

² *Rot. Parl.*, iv, 132 ; *Proceedings*, ii, 298.

³ Ramsay, i, 294.

commons for letters patent to secure the bishop's loan on the customs of Southampton. The loan was described in that petition as being "for the ease of your poor commonalty of England." The bishop's services did not end with his loan. It was probably his influence which induced convocation to vote the King a tenth in May. On June 10th Henry sailed with barely a thousand men to face the campaign which was to be his last. On July 1st the bishop's name appears again on the minutes of the council after four years' absence. On the 2nd the treasurer delivered into the hands of the bishop a golden crown richly adorned with precious jewels. The crown was duly exhibited and handled in the presence of the lords of the council, and placed in a casket covered with leather, which was then sealed by the treasurer and given into the custody of the bishop. No doubt the crown was part of the bishop's security for his loans. Much has been made of his "rapacity" on this and other occasions. The sources of his loans will come to be considered in connexion with Gloucester's attack upon his reputation in 1440; it is sufficient to note here that in all probability he "acted as a contractor on a large scale."¹ He was not so much a private lender as a banker of the crown, and his credit was as important as his wealth. If at times his requirement of security seemed grasping and ungenerous, it must be remembered that he provided more than one loan before its predecessors had been paid off,² and that the requirement of security was made in the interest of the kingdom as well as in his own. The possibility of future loans depended upon the security

¹ Stubbs, iii, 94.

² He lent the King £3,000 more at Dover in June before he sailed, in addition to the £22,000 already lent.

of previous loans. In the year 1421 Beaufort was providing the country with ready money to an amount equal to two-fifths of the gross revenue of the crown, and equal to at least a third of a million in modern money.

Many of the matters which occupied the attention of the bishop and his fellow-councillors during their busy meetings in July, October, and November, 1421, were cases of purely local or personal interest, but three of the minutes of the council had a wider reference. (1) On July 1st ambassadors were appointed to visit Sigismund, and on the 17th they were given instructions to discuss with him the position of the Duchy of Luxemburg, which was a bone of contention between Burgundy and the Emperor, Henry's two allies. Their main task, however, was to press for that active support which Henry had been seeking from Sigismund in vain since 1418, and which he needed now more than ever.¹ (2) On July 15th the council had to consider a petition from the papal collector, who asked for letters patent enforcing the payment of papal dues by persons who held benefices in England which were formerly subject to French ecclesiastical corporations, and who had refused payment during the war with France. Bedford, Beaufort, and the primate agreed to grant the petition.² (3) On July 8th and 9th the council made provision for the maintenance of Jacqueline, the young Countess of Holland, Zealand and Hainault, widow of the late Dauphin of France and wife of John, Duke of Brabant.³ Unhappy in her second marriage, Jacqueline had sought a home in England, and was

Affairs of
State
at the
Privy
Council.

Jacqueline
of Hainault

¹ *Proceedings*, ii, 288.

² *Proceedings*, ii, 299.

³ *Proceedings*, ii, 291, 293.

welcomed by the King. Her hand had been sought for Bedford in 1418; this time Gloucester himself was attracted by her charms. If, however, Henry welcomed Jacqueline to England in the hope of a marriage which might secure a footing for England in the Netherlands, he was grievously mistaken. In the end Jacqueline proved one of the most serious hindrances to the policy which Bedford and Beaufort inherited from Henry. Gloucester's subsequent infatuation for Jacqueline made it hard for them to retain the loyal support of Burgundy, her neighbour and kinsman, who resented bitterly Gloucester's intrusion into his sphere of influence.

Last days
of Henry V.

The position of affairs in the meantime was growing more and more serious. Money was scarcer than ever at home; abroad the King was worn out with sieges and marches and the conscientious supervision of business which followed him oversea. A ray of comfort came with the birth of a prince at Windsor on December 6th. The little Henry, heir to the thrones of England and France, was christened by the primate; and the Bishop of Winchester stood for him at the font along with Bedford and Jacqueline of Hainault. The chroniclers add that the primate acted as godfather at the confirmation which followed the baptism;¹ perhaps it may be inferred that it was the Bishop of Winchester who laid hands upon the child. But the pride and hope rekindled by the Prince's birth soon gave place to anxiety and grief. Henry's work was ended, all unfinished as it was. The surrender of Meaux relieved the strain upon his weakened troops; but Burgundy gave little help, and Sigismund and Portugal sent none at all. In May Bedford brought the Queen over with a slender

¹ Gregory, p. 143.

reinforcement, but only to find the King dying of his hardships. The end came at Vincennes after midnight on August 31st. Henry had summoned his kinsmen and councillors to his bedside some days before. Beaufort was at home in England with Gloucester the regent, but his brother, the Duke of Exeter, was with Bedford and Warwick and the trusty few in France who gathered now to receive the King's last commands. The crusade was his last thought, that crusade which he had planned with Burgundy in 1421, which he had doubtless discussed many a time with Beaufort, which he had put before the German princes as the long-contemplated sequel of all his conflicts nearer home, and which he kept so close to his heart that on his sick bed he was still reading the story of the first crusade.¹ But he had not forgotten matters of more immediate urgency. His earlier wills of 1415 and 1417 had dealt with his personal and real property respectively. Among their provisions, which he now confirmed, was the bequest of a "portos" to the Bishop of Winchester, a breviary in two volumes which had been written and illuminated by special order of Henry IV for his own use during his illness in 1408. But a far more important legacy was now bequeathed to the bishop in the share given to him in the guardianship of the infant Prince.² The will of 1421, in which Henry made all the political arrangements which he thought best for his son and his two realms, was produced in parliament in 1425, but afterwards lost. The chroniclers, however, though differing in detail, are in the main fairly unanimous. Bedford was to be

His
provision
for the
Regency.

¹ The book belonged to Joan Beaufort, Countess of Westmoreland; *Proceedings*, iii, 168, n.; Rymer, x, 317.

² *Gesta Henr. V.*, p. 159.

regent of Normandy and France, Gloucester regent of England. Exeter's name stands first in the chroniclers among the guardians of the Prince, but two of them add the bishop, and a third mentions Warwick also. Hardyng, the contemporary writer, is most precise. He explains that Warwick became guardian after Exeter's death in 1426. The dying Henry wished

Thomas Beauforde his uncle dere and trewe
Duke of Excester, full of all worthyhode,
To tyme his soone to perfect age grewe,
He to kepe hym, chaungyng for no newe,
With help of his other eme (*i.e.*, uncle) then full wise
The Bishop of Winchester of good advise.¹

The chroniclers have preserved recollections of Henry's last prophetic words of counsel which throw light upon the meaning of these appointments.² He protested to the end that his claim was righteous and his work in France a divine mission; yet he foresaw that the uncompleted conquest might some day be lost. He charged his friends to keep the Duke of Orleans a prisoner until the child Henry was of age, to make no peace which would not secure at least Normandy as an absolute dominion, and to give no offence to their ally of Burgundy, whose support was a necessity. This last charge was to be conveyed also as a solemn warning to Gloucester. The hint is significant. It is true that Henry is not said to have suggested any limitation of Gloucester's authority as

¹ Hardyng, p. 387.

² Monstrelet, p. 530; T. Elmham, pp. 332, 333; cp. Stubbs, iii, 95, 98, and Ramsay, i, 303. Walsingham (ii, 345) and the Burgundian chroniclers say that Henry wished the regency in France to be offered first to Burgundy. It is interesting to note this in view of the fact that Bedford surrendered it to Burgundy in 1429.

regent of England. But it seems clear that Bedford was intended to hold the first place in the whole plan. France was the post of danger and the post of honour. If discord arose at home or difficulty abroad through the self-assertion of Gloucester, the Beauforts as guardians of the young King were to hold the balance in favour of Bedford. It was, perhaps, for this purpose that the guardianship was in a sense put in commission and not confined strictly to Exeter alone.

CHAPTER VI

THE PRIVY COUNCIL AND THE PROTECTOR 1422-1424

Limitation
of Gloucester's
authority

WHATEVER were the precise provisions made by Henry V for the government of the double realm after his death, the lords of the council evidently held themselves free to revise or suspend those provisions. How far they were merely utilising the accession of an infant King to assert their constitutional position, or how far they were prompted by distrust of Gloucester's personality or apprehension of his policy, must remain an unanswered question. It is possible that Gloucester was himself the danger against which they desired to guard ; it is possible on the other hand that it was the office of regent in itself which they feared, and that some part of their action would have followed the same lines if the regency had presented itself to them in the stronger but soberer character of Bedford. In any case, the resistance of Gloucester at every step soon gave the whole dispute a more personal aspect.

(1) at the
Council

Nearly a month elapsed before any official action was taken to inaugurate the new reign. When on September 28th the Bishop of Durham resigned the chancellorship, Gloucester was permitted to receive the seal from the bishop, but in the presence of the infant King. The writs summoning parliament were sealed in the name of the King and the council, and Gloucester himself was summoned by writ as though he were merely the first peer of the realm. What was implied in these contrasts to the procedure followed

under the regencies of Bedford and Gloucester during the late reign was soon made a matter of express stipulation. The council met on November 5th, and produced a document in which Gloucester was to be authorised by the King to open, conduct, and dissolve parliament as the commissary of the King "by the assent of the council." The construction of these last words was ambiguous.¹ They seem most naturally to refer to the circumstances of the granting of the commission. Gloucester, however, read the clause as meaning not that his commission was granted by the King in council but that his control of parliament was to be limited by the consent of the council. If he was wrong in his interpretation of the clause, itself an innovation upon previous commissions of the kind, he was not corrected by the council. He was certainly right in his general impression that the whole commission ignored his supposed position as regent. In the end he had to drop his protest, for the lords were asked their opinions in turn, and each of them insisted on the retention of the words. Gloucester could scarcely be satisfied with the explanation that the words were "as necessary for the security of the duke as they were for the security of the council."²

When parliament met on November 9th, the King's commission to Gloucester was read, and its terms were strictly observed, petitions being addressed to him not as regent or Lieutenant of England but as "commissary of the King." Archbishop Chichele, who opened the session, paid a tribute of praise to the late King, and turned to dwell on the task of completion which lay before the infant sovereign,

(2) in
Parliament.

¹ Stubbs, iii, 96 n. 3; Vickers, *Gloucester*, pp. 110, 111.

² *Proceedings*, iii, 7.

“ already King of England and of France,” for the afflicted King of France, Charles VI, had died in October. The primate pleaded for the support of parliament. The King, he said, would need the help of wise counsellors such as Jethro urged Moses to seek in his task of ruling Israel, and these counsellors should be drawn from each estate of the realm.¹ Such was the forecast which the good primate was permitted or instructed to give of coming events. Parliament confirmed the previous acts of the council, and assented to the reappointment of the chief officers of the crown ; and then the question of the regency came up for final settlement. Gloucester had been pressing his claim on the double ground of his birth and of the late King’s will. The rolls of parliament of 1422 give merely the formal documents which record the results of the discussion. But a vivid light is thrown on the proceedings of 1422 by the answer made by the lords in the session of 1427–8 to a demand which Gloucester then made for a definition of his powers as protector. They reminded him pertinently of the settlement of 1422. “ Whereupon the lords spiritual and temporal assembled in parliament (*i.e.*, in 1422), among the which were my lords your uncles, the Bishop of Winchester that now liveth, and the Duke of Exeter, and your cousin Earl of March that be gone to God, and of Warwick, and other in great number that now live, had great and long deliberation and advice, searched precedents of the governail of the land in time and case semblable, when kings of this land have been tender of age, took also information of the laws of the land, of such persons as be notably learned therein, and finally found your said desire nought caused nor grounded in precedent, nor

¹ *Rot. Parl.*, iv, 169.

in the law of the land ; the which the King that dead is, in his life ne might by his last will nor otherwise alter, change nor abroge, without the assent of the three estates, nor commit or grant to any person governance or rule of this land longer than he lived ; but on that other behalf the said lords found your said desire not according with the laws of this land, and against the right and freedom of the estates of the same land. How were it, that it be not thought that any such thing wittingly proceeded of your intent. And nevertheless to keep peace and tranquillity, and to the intent to ease and appease you, it was advised and appointed by authority of the King, assenting the three estates of this land, that ye in absence of my lord your brother of Bedford should be chief of the King's council, and devised therefore unto you a name different from other counsellors, not the name of tutor, lieutenant, governor nor of regent, nor no name that should import authority of governance of the land, but the name of protector and defensor, the which importeth a personal duty of intendance to the actual defence of the land, as well against the enemies outward, if case required, as against rebels inward, if any were, that God forbid ; granting you certain power, the which is specified and contained in an act of the said parliament, it to endure as long as it liked the King.”¹ To this appointment, remarked the lords of 1428, Gloucester agreed at the time on his own behalf, with a saving clause on behalf of any rights that Bedford might claim in the government of England.

Gloucester's powers thus defined, and his subordination to Bedford fixed, the next step was the nomination of the council which was to be the supreme

The
Council of
Regency.

¹ *Rot. Parl.*, iv, 326.

governor of the realm. Gloucester's name headed the list as "chief of the council"; then came five prelates, Canterbury, London, Winchester, Norwich, and Worcester; the Duke of Exeter and the Earls of March, Warwick, Northumberland, Westmoreland, and the Earl Marshal; two barons and three commoners. It was a strong council, but it was none the less cautious. Its members only accepted office on conditions which left the protector less power than ever. Parliament had already reserved the greater ecclesiastical benefices for the joint disposal of protector and council. The council were now to have the appointment of all officers of justice and revenue, "saved always and reserved to my lords of Bedford and Gloucester all that longeth unto them by a special act made in parliament, and to the Bishop of Winchester that that he hath granted him by our sovereign lord that last was . . . and by authority of parliament confirmed." They were also to have the disposal of wardships, fiefs, marriages, and other privileges of the crown. A quorum of six or four was to be required in any matter, a majority of the whole council in any great matter; the advice of Bedford or Gloucester in any matter usually requiring the consent of the King. Officials of the Treasury were to swear that "for no friendship they should make no man privy but the lords of the council, what the King hath within his treasure"; and the clerk of the council was to record daily the names of all councillors present, "to see what, how and by whom anything passeth."¹

Relations
between
Gloucester
and
Beaufort.

The details of the situation thus created are of importance in judging of the conflict between Gloucester and Beaufort in the autumn of 1425, which

¹ *Rot. Parl.*, iv, 176.

turned in part upon the powers of the protectorship. Meanwhile the situation of 1422 itself is of importance in the history of Beaufort. It has been said that "the influence of Bishop Beaufort may be confidently traced"¹ in the act of parliament which conferred and limited the protectorship. The lords of 1428 certainly placed the two Beauforts first among those who were prominent in 1422, though of course there was only one other lord who could have been mentioned first, and that was the peaceful Primate Chichele. But the evidence of the chronicler Hardyng is positive, if it may be accepted. When Gloucester, he says, claimed the guardianship of the little King,

The Bishop of Winchester it withstood,
With all the lords there whole of his assent ;

and when Gloucester pressed his claim of blood to the regency,

The bishop aye withstood all his intent,
That chancellor was by fifth King Henry made,
And so forth stood and in the office bade . . .
For cause he (Gloucester) was so noyous with to deal
And office would he have and governance ;
Wherefore they made him for the common weal
Protector of the realm by ordinance.²

The bishop's attitude has been severely criticised. It has been suggested that the "conciliar government" for which he took his stand "meant his own preponderance in the kingdom"; that it was the "ingenuity" of the Beaufort party which persuaded the lords to see in Henry's last instructions "an infringement of their rights"; that "the whole thing was a party move and cannot be construed as a vote of no confidence in the Duke of Gloucester."³ There

¹ Stubbs, iii, 100.

² Hardyng, p. 391.

³ Vickers, pp. 113, 114.

is much truth in the suggestion that the conflict between Beaufort and Gloucester was as yet a political question and not the personal rivalry that it became largely in 1425 and later. But it is probable that the political objections of 1422 owed the urgency with which they were pressed by the Beaufort party to the known or suspected character of Gloucester as a man. It is hard to imagine that his reckless blunders or worse in the next few years were a revelation of a new side in a hitherto satisfactory personality. It is hard to believe that the same objections would have been pressed at all or at any rate as persistently if the claimant had been Bedford, whom Beaufort seems to have trusted and supported as the executor of the late King's policy at home and abroad. In any case, Beaufort ought to have full credit for the fact that the council, a body "in which every interest was represented and every honoured name appears,"¹ and also the lords and the parliament as a whole went with him at this crisis. Such a fact is inconsistent with the theory of a mainly personal motive such as the desire of predominance in council and parliament. Chichele's forecast of the representative character of the council in his speech in parliament may perhaps have been prompted by the danger of an unchecked protectorate as much as by the danger of a discontented parliament. The real difficulty of the historian lies in the absence of any certain indication of Bedford's view of the situation. On October 26th he wrote to the mayor and aldermen of London intimating that he understood that the supreme authority was his by custom as eldest brother of the late and next in succession to the present King, and urging them not to ignore or injure his claim,

¹ Stubbs, iii, 101.

which, he protested, was intended in his country's interests and not in his own.¹ It is difficult to determine whether this letter was prompted by distrust of his brother or by suspicion of Beaufort. The same difficulty attaches to the interpretation of an undated draft of an agreement or alliance between Bedford and his brother of Gloucester which is preserved among the letters of Bekynton, chancellor of Gloucester's household.² In this document, to which the widowed Queen Katharine was to be a party, stress is laid upon the necessity of concord between princes in a state, and upon the wisdom of strengthening the natural bond of friendship by a civil contract. The two parties pledge themselves to be loyal to the King and to each other, to watch and not to assist each other's enemies, to believe no accusations but to seek an explanation from the accused party, and to make no alliance or friendship without mutual consent. The date of this proposed alliance is all-important. If it is to be placed in 1422, the omission of Beaufort's name might justly be taken "as indicating a common suspicion of the ambitious projects of their aspiring uncle," and perhaps of an attempt on his part to sow dissension between the two brothers. The pledge to make no independent alliance might be a warning of Bedford's in advance against Gloucester's temptation in the direction of Jacqueline and Hainault; but it might equally well have been suggested to Bedford at a later date by the difficulties which had resulted from Gloucester's continental excursion. It has been suggested that Bedford was "in the hands of Beaufort" early in

¹ Vickers, p. 112.

² Bekynton, *Letters*, i, 139-145; Stubbs, iii, 105; Vickers, pp. 117, 118.

1426, and would not be likely to make such an alliance with his brother at that time. Bedford was never in the hands of Beaufort. It is true, on the other hand, that on the whole he was on the side of Beaufort early in 1426, and it is quite possible that this alliance was an attempt of Bedford's to bring home the lessons of that crisis to Gloucester, and to assure him of support on condition of his continued good behaviour.

**Beaufort's
policy.**

The charge of private ambition or personal jealousy in the movement of 1422 remains unproven against Beaufort. It is probable that neither was entirely absent ; it is improbable that either was the dominant motive. His policy, whether of limiting the protectorate or of restraining Gloucester, was in the main an honest policy conceived in the interests of the nation. If the Beauforts had been regarded by Henry V as likely to hold the balance, it was probably because " he knew that while to the actual holders of sovereign power their personal interests are apt to be the first consideration, to a house in the position of the Beauforts," of semi-royal blood yet of no independent position, " the first object is the preservation of the dynasty."¹ A strong council at home seemed to Beaufort and the barons who stood with him the one need of the nation during the King's infancy, while the strong man of the royal house was working to win and keep the new realm abroad. Yet their suspicion of the possibilities of the protectorate in the hands of Gloucester led them perhaps too far. Restriction at every turn in affairs at home drove him to seek an outlet for his energies in foreign ambitions which imperilled the interests of England, and forced him when he was at home into a policy of agitation

¹ Stubbs, iii, 97.

or at least into an attitude of hostility, the first stage of the faction that broke later into civil war. Consequences of this kind were too remote and indirect to be foreseen by his opponents in 1422, and cannot be laid to their charge. Yet Shakespeare, unhistorical as he was in detail and in chronology, was right in principle in tracing the thread of the Wars of the Roses back into the early part of the reign of Henry VI.

From January to July, 1423, the council met with great regularity. Minutes are recorded for seventeen of the twenty-eight days of February.¹ Its business was mainly concerned with finance and local administration. Ample provision was made for Gloucester's expenses. His salary was fixed at 8,000 marks, the usual salary of the regents of the last reign. Meanwhile difficulties had arisen with regard to the late King's will. Dismayed perhaps by their liabilities, the executors to whom the late King's personal property had been assigned in the parliament of 1422 refused to discharge their duties. The supervisors of the will were Gloucester, Exeter, and the Bishops of Winchester and Durham, the latter being now chancellor, and they dealt with the matter in council. Those of the executors who were members of the council agreed to administer to a limited amount, and the remainder of the executors one by one consented to act with them. On the same day, February 15th, the question of the Bishop of Winchester's loans came before the council. The question had apparently been raised whether the prior claim upon the customs which the late King had given the bishop was not in conflict with the last parliamentary grant of a subsidy for the defence of the realm. It was now decided with the advice of the justices and

Financial
business.

¹ *Proceedings*, iii, 23-45.

sergeants-at-law that the concession of such security was not contrary to the act of parliament, since the bishop's loan was expended in the defence of the realm; and the treasurer was further instructed to issue bills to the chancery authorising the bishop to appoint one customs-officer in every port to watch over his interests.

On February 22nd the bishop received two tallies for £2,000 in exchange for those which had been given him by the treasurer by order of the late King and which had expired with the King's death. The old tallies were now returned to the treasurer, and new ones issued for the payment of the same sum by the collectors of the subsidy on wools, hides, and leather in the port of London. The debt secured by these tallies was part of the last loan for £3,000 made by the bishop to Henry V when he sailed from Dover in 1421.

The
Council of
Pavia.

A much more important matter came before the lords of the council that same day. The Council of Constance had decided that a general council should be summoned at the end of five years, and the council had been duly summoned to meet at Pavia in 1423. The English privy council appointed the Bishops of Winchester and Worcester, the Earl of Northumberland and four other laymen along with a doctor of divinity and a doctor of laws "to go oversea on an embassy of the King to attend the general council at Pavia, as it is called," and the next day the council issued a commission for the Bishops of Lincoln and Chichester and the Prior of Sullac in Aquitaine, who were "to go oversea to the court" (*i.e.*, of Rome) to demand for Henry VI's French representatives the place of honour "due to him in virtue of his realm of France," which took precedence of the realm of

England. There is no record, however, of Beaufort's journey to the council or of his doings there. Letters of protection were issued in March to William Brugges, garter king-at-arms, going to Rome on the King's service in the retinue of the Bishop of Winchester, and similar letters to Sir Henry Hase going in the bishop's retinue to the general council. The council met at Pavia, but was driven by an epidemic to migrate in August to Sienna, and was finally dissolved there by the Pope in March, 1424. But Beaufort was in attendance at the privy council in England till its last meeting on July 18th, and was present at its next series of meetings from October 21st onwards. Moreover John Whethamstede, Abbot of St. Albans, who went to Pavia in March, 1423, as one of the twelve delegates of convocation, and returned in February, 1424, seems to have seen and heard nothing of the Bishop of Winchester. The Bishop of Lincoln was there, using the opportunity to hold forth against the iniquity of allowing religious communities to claim exemption from diocesan jurisdiction; the Bishop of Chichester brought the abbot on his sick bed an indulgence from the Pope; and the Bishop of Carlisle was president of the English "nation" at the council when the poor abbot on the eve of his departure called to see him, and asked his support for the cause of St. Albans and its order.¹ Beaufort may have paid a flying visit to the council at Sienna or to the Pope at Rome between July and October, but it has left no trace in history. It is possible that he realised beforehand the futility of the council, and occupied himself elsewhere. The King's delegates had been given letters of commission to the princes of Germany, and Beaufort may have been exerting himself to bring

¹ *Chron. Mon. S. Alb.*, i, 142, 150, 181.

Sigismund and his vassals into action against the rival King of France, Charles VII. More probably he stayed at home to watch Gloucester. There are no traces of any conflict between the two at the privy council up to July. But there may have been danger in the atmosphere.

Marriages
of Bedford
and
Gloucester.

The parliament which was opened by Gloucester in October, 1423 (under a special commission as in 1422), had an eventful as well as a long session. In certain of its transactions Beaufort and Gloucester were content to give and take. The bishop, with other creditors of the crown, was given security to the extent of 20,000 marks for loans recently made or yet to be made, of which the bishop himself lent 18,000 marks; and he was now repaid the last instalment of the loan of £14,000 which he had advanced in 1421. Gloucester's wife was naturalised, and Bedford's wife also. It was a strange conjunction. Bedford's wife was the pious and lovable Anne, sister of the Duke of Burgundy, whose betrothal in June, 1423, was the seal of a formal alliance between her brother and her future husband made at Amiens in April. Gloucester, "either blinded with ambition or doting for love,"¹ had married the wayward Jacqueline, though her existing marriage to John of Brabant was yet unannulled by papal authority, and the new marriage spelt defiance to the Duke of Burgundy.

The
Mortimer
conspiracy.

Another strange conjunction was the coupling of the names of Beaufort and Gloucester in the discreditable story of Sir John Mortimer's end.² Mortimer was the cousin of the Earl of March, who had inherited the rival claim to the English throne. Mortimer himself was a prisoner in the Tower, on a yet untried

¹ Hall, p. 116.

² Kingsford, *Chron. Lond.*, pp. 282, 283.

suspicion of treason, and on February 23rd was detected in a second attempt at escape. A gaoler who was supposed to have assisted him in the attempt told the special jury, on February 25th, an extraordinary tale. Mortimer, he said, had avowed his intention to lead his cousin the earl into revolt in Wales, or failing this, for his cousin "was but a daw," he intended to claim the crown as his cousin's heir, and to appeal to the Dauphin of France to invade England. "He said he would fear (*i.e.*, terrify) the Duke of Gloucester and smite off his head and all the lords' heads; and specially the bishop's head of Winchester, for Mortimer would play with his money." The Earl of March was probably innocent of this plot, but he was in disgrace at the time. He was apparently quite content to serve the Lancastrian dynasty, but he had excited Gloucester's suspicion by attending this very parliament with a large retinue, and the council had ordered him off to his lieutenancy in Ireland, where he died a few months later. Mortimer was given short shrift. A special act of parliament was passed on February 26th for this occasion to convert escape into treason, and he died a traitor's death at Tyburn that same day. "Of whose death no small slander arose," says Hall, "amongst the common people." It is not even certain whether the gaoler was an accomplice of Mortimer or of the authorities. The guilt of Mortimer's murder, if not of the alleged plot, lies between Gloucester and the Beauforts. Either together or singly they could have stayed the lords from this crime. Whether the motive was a cowardly desire for personal revenge on a man who was said to have threatened their lives and fortunes, or perhaps rather a less ugly anxiety "to avoid things that might chance" in the way of

civil war, remains a mystery. It was a futile wrong if it was meant to save the house of Lancaster. The heir to the wealth and the claim of March was his nephew, Richard of York, thirty years later the victor of the battle of St. Albans in the War of the Roses.

Predominance of the Privy Council.

The rift meanwhile between Gloucester and the council was widening rather than closing. The council was reappointed and enlarged, and new rules were framed for its procedure which seem to describe Gloucester as at once a colleague and an opponent, and to contemplate him in particular even where he is not mentioned by name. "My lord of Gloucester ne none other man of the council . . . shall no favour grant neither in bills of right ne of office ne of benefice that longeth to the council," but shall refer all petitions to the council as a whole. It was declared to be "too great a shame that into strange countries our sovereign lord shall write his letters by the advice of his council . . . and singular persons of the council to write the contrary,"—apparently an allusion to Gloucester's independent action in the question of Hainault. The council reserved to itself the right to withhold from the courts of common law any case in which "unmight" was pitted against "too great might"; and a law officer of the crown was assigned to act without payment on behalf of poor suitors. The last paragraph of these regulations in the acts of the council was omitted in the rolls of parliament; it was a resolution that in any case of dispute between members of the council the judgment of the rest of the council must be final. "This ordinance above-said to keep my lord of Gloucester openly assured in his own person to all the remnant of my lords." Exeter was absent, but the Bishop of Winchester

signed next to the primate. The whole series of ordinances was a victory for the council.¹

The most important event of the session was the release of the King of Scots,² who had spent seventeen of his thirty years in England in a captivity which had been monotonous rather than miserable. Twice he had been taken to France in the retinue of Henry V, probably to put the Scots in the French service into the position of traitors. He had made friends in England, and had lately found a sweetheart. Henry V had contemplated his release in 1421, and the council now considered the matter ripe for settlement. England apparently stood to gain in every way by the return of James I to his own realm. If reminiscences of English friendships did not keep him at peace with England, the anarchy of his own realm might keep him at work in Scotland. His ransom would be a welcome accession to the impoverished treasury; his influence might recall the Scots from the service of the Dauphin. The council instructed the English envoys in July, 1423, to ask for a ransom of £40,000, which was to be described as the repayment of the expenses of the King's maintenance at the English court, to press for a truce with a view to a perpetual peace, to require the withdrawal of the Scottish troops from France, or at least a promise to send no more during the expected truce, and to suggest the possibility of a marriage with some English lady of noble or royal birth. The agreement was concluded at York in September. The Scotch consented to pay the £40,000 in six yearly instalments, to give no further assistance to the French forces, and to send envoys to London in October in pursuance of the proposal

Marriage
and
release of
the King
of Scots.

¹ *Proceedings*, iii, 148-152.

² Ramsay, i, 336-339, 344, 345.

for an English marriage. No name was mentioned, but the name was not unknown. The lady was Joan Beaufort, daughter of the late Earl of Somerset, and niece of the Bishop of Winchester. Readers of old literature will remember the stanzas of *The King's Quhair*, in which the poet-king tells how he looked down from his chamber at Windsor one May day in 1423 and saw her walking under the tower,

The fairest or the freshest young floure
That ever I sawe methoght before that houre,

and how

Onely through latting of myn eyen fall,
That sudaynly my hert became hir thrall
For ever of free wyll ; for of manace (menace)
There was no takyn (token) in hir suete face.

The marriage took place while the details of the liberation were yet being arranged. The council treated James handsomely. They gave him 200 marks for his bridegroom's outfit and £24 for a piece of cloth of gold, and on his wedding day, February 13th, 1424, presented him with the first instalment of his "expenses," which fell due that day, as a dowry for his bride. The two lovers were married in the church of St. Mary Overy, Southwark, probably by the bride's uncle, for after the wedding "great solemnity and feast was holden in the bishop's inn of Winchester,"¹ Beaufort's palace near the church. The final settlement took place at Durham on March 28th. Scottish hostages were given for the payment of the ransom ; a truce for seven years was sealed ; and James undertook to keep in order the Scots now serving in France as soon as they came back to Scotland. In May James was crowned at Scone.

¹ Kingsford, *Chron. Lond.*, p. 282.

Gloucester's
complaints
in 1440.

In 1440 Gloucester made this Scottish alliance one of his grievances against the bishop.¹ (1) He complained that the terms on which the bishop released the King were "presumed to be done by authority of parliament, where indeed I have heard full notable men of the lower house say that they never heard of it amongst them." This charge is hard to reconcile with the facts of the case. On November 21st, 1423, a deputation of the commons waited upon the upper house to thank Gloucester and the other lords for their services in carrying through the preliminary treaty of September, and to ask them to hasten the conclusion of the matter. On January 28th parliament authorised commissioners to complete the arrangements. On February 14th the council gave its instructions to the final embassy which settled the last details. It is evident from the special reference to his name in November that Gloucester was largely responsible for the early stages of the negotiations. His charge against Beaufort must therefore relate to the details of the later stages. Here again it was not the bishop, but the council who laid down the final terms of negotiation. If Beaufort was responsible for their origination, the council was responsible for their approval. Gloucester's temper must have deranged his memory. Twice in this one paragraph he described the bishop pointedly as "then being chancellor of England." Beaufort did not succeed the Bishop of Durham in the chancellorship until July, 1424, five months after the Scottish marriage. (2) Gloucester complained that this arrangement "was to great defraudation" of the King's highness. He mentioned separately the remission of 10,000 marks of the stipulated "costs." But it is

¹ Stevenson, *Wars in France*, ii, 444.

hard to see what "defraudation" there was in the terms of the treaty apart from this remission. The ambassadors, it is true, only secured a truce, not a peace, but the council had distinctly admitted in their instructions that a peace was too difficult an achievement to anticipate. (3) Gloucester asserted that the matter was arranged by Beaufort "all to wed his niece to the said King." It is true that the silence about the name of the lady in the early negotiations seems at first sight open to the suspicion that the Beauforts wished to get the marriage safely through without comment. But it is more probable that the ambassadors of July, 1423, gave the true explanation of the silence when they remarked that "English ladies are not wont to offer themselves in marriage." It was as genuine a love-match as can be found in royal annals. No doubt the pardonable ambition of the Beauforts welcomed the discovery of the romance. Possibly it was even utilised by them to bribe James into acceding to the English terms. But the idea that the treaty was subservient to the marriage in the purpose of the council is untenable in view of the fact that the release of James had been contemplated for two years before he saw his future bride. (4) Gloucester's last point of attack was the fact that "of the great sum he hath paid you right little." This was true enough. The Scottish marriage was disappointing to all parties in England. Little more than £6,000 of the £40,000 came to the English treasury. This fact, however, may indicate rather that the sum fixed was exorbitant than that James was let off cheaply. Each instalment of the ransom (one-sixth) was equal to two years' gross revenue of the Scottish realm. But the non-payment of the ransom was the least serious grievance.

DISAPPOINTMENT OF THE BEAUFORTS 123

The stream of Scottish auxiliaries ceased indeed to flow to the standard of the French King. Violations of the truce on the Border were neither frequent nor serious, nor all on the northern side. Yet the situation was precarious. In 1428 James promised to give his infant daughter in marriage to the Dauphin, and to send a Scottish army to France, in return for which the French were to cede to him territory in Saintonge. The army was not sent, but the little princess Margaret went at last in 1436, and was married to the Dauphin early in 1437. Her father's murder in that same year left Scotland under a regency which had too much work at home to do any more for France. Still Gloucester or any Englishman looking back in 1440 might well consider a bare truce on the Border a poor result of the Scottish marriage of 1424 ; and the Beauforts must have felt keenly the disappointment of all their hopes. Yet they could scarcely be blamed for the policy prompted by those hopes. They made a bid—a costly bid, Gloucester thought after the event had made him wise—for peace in the North and advantage across the Channel. They could hardly foresee that even a beloved English wife would fail to win her Scottish husband from the traditional policy of his house.

Disap-
pointing
results of
the
marriage.

CHAPTER VII

THIRD CHANCELLORSHIP : CONFLICT WITH GLOUCESTER 1424-1426

Third
tenure of
Chancel-
lorship.

ON July 16th, 1424, Beaufort became chancellor for the third time. The explanation of his appointment depends upon the question whether it was Bedford or Gloucester who was responsible for the change of ministry. It may have been a precaution on Bedford's part to put "a check upon the vagaries of his brother,"¹ or it may have been a compromise on Gloucester's part to secure the bishop's acquiescence in his action in the matter of Jacqueline's inheritance. The problem of Hainault was becoming acute. Gloucester had considered the dispensation of the old anti-Pope Benedict warrant enough for his marriage, but Burgundy was still indignant and obstinate in his threat of war in the event of Gloucester's intrusion into Hainault. Bedford tried hard to mediate between the two. Burgundy's support was indispensable to the English regent in France ; but Gloucester was reckless of this consideration, and his case against the legality of Jacqueline's marriage with the Duke of Brabant was too strong to be ignored. Nothing short of a papal bull would convince Burgundy, and Bedford urged the Pope to settle the question soon, but urged in vain. Meanwhile Gloucester turned impatiently to the sword to cut the knot. The English council had been warned that an invasion of Hainault meant war with Burgundy and disaster to the English cause in France. The letter in which this warning was contained has

Glouces-
ter's claim
to Hainault

¹ Stubbs, iii, 103.

been attributed to Beaufort ; it was more probably a message from the loyal University of Paris conveyed to the council through Beaufort.¹ Gloucester, however, sailed with Jacqueline for Hainault on October 16th. It was an anxious time for Bedford, whose victories at Cravant in 1423 and at Verneuil in August, 1424, seemed now on the point of being wasted. Beaufort was no less anxious, and was kept informed of the progress of the expedition by an unknown correspondent on the spot.² It ended in failure and dishonour, and in April, 1425, Gloucester returned to England, leaving his wife to fall into the hands of Burgundy, and transferred his affections to her lady-in-waiting, Eleanor Cobham.

Meanwhile the government of England had been practically in the hands of the chancellor for five months from October, 1424. On February 23rd, 1425, the council voted him a special salary of 2,000 marks in addition to his ordinary income as chancellor and councillor. The reasons assigned for the grant were (1) his near relationship to the King, (2) the heavy labour and expenditure which he had already sustained in discharge of his office "and apparently would have to sustain in the future" during the absence of the Dukes of Bedford and Gloucester, and (3) the fact that the chancellor "always had been and was now very generous in advancing money and in divers other services for the King and the preservation of his realms of France and England."³ The grant was to cease on the return of either duke, and no future chancellor was to rely upon the grant as a precedent. Beaufort was in fact

The
Chancel-
lor's
services
and salary.

¹ Vickers, p. 131.

² Stevenson, *Wars in France*, ii, 396-400, 409.

³ *Proceedings*, iii, 165.

making a new series of loans to the crown. In December he lent £1,000, in March £4,000, and in June £3,900; of the £20,000 for which parliament now gave security to the bishop and other creditors, £11,032 16s. 1d., to be precise, represented the bishop's share. There is no such emphatic evidence of extraordinary labour. Only eleven meetings of the council are recorded for the winter of 1424-5. These minutes, however, cannot have represented the whole of the administrative work of the chancellor, who was now practically vice-protector of the realm. The country was apparently quiet, but there was trouble in the city, partly industrial, partly political, perhaps the first muttering of the storm which burst in the autumn.

Glouces-
ter's
influence
in Council
and
Parliament.

Beaufort and the council evidently contemplated the possibility of a long absence of Gloucester. The French chroniclers say that when he returned in April the council was not sparing in its criticism of his recent proceedings in Hainault. Beaufort may have spoken his mind, but the protest, if made, must have been overborne. The only reference to Gloucester in the acts of the council is the resolution of May 22nd which granted him the custody of the lands of the late Earl of March, which were now in the possession of the crown during the minority of the earl's heir, the Duke of York.¹ The rolls of parliament contain yet fuller evidence of the influence which Gloucester still retained. The session was opened by Beaufort on April 30th in the presence of the little King. The chancellor's text was unsuggestive, "Glory and honour and peace to every one that worketh good," and its application general and vague. He dwelt upon the three kinds of good, the obedience

¹ *Proceedings*, iii, 169.

of subjects, the wisdom of councillors, the financial support due to King and realm. There may perhaps be a subtle reference to Gloucester in the quotation under the head of obedience, "obey your masters, not only the good but also the froward,"—or to the danger of individual predominance in the quotation under the head of counsel, "safety in the multitude of counsellors." The latter text was made the basis of a quaint comparison between the ideal counsellor and an elephant. The elephant "is without gall, inflexible, and of great memory." So, too, a counsellor must be free from hatred and bitterness, rigid in refusing bribe or favour, and thoughtful alike of past, present, and future. Perhaps the hearers were meant to contrast certain great counsellors whom they knew, but they were given no further guidance in the application of the simile. Finally, the chancellor pointed to the victories of the last two years as proofs of the good hand of God over the young King.¹ But whatever Beaufort may have thought or wished, parliament showed itself kind to Gloucester. It decided the dispute for precedence between the Earl Marshal and the Earl of Warwick in favour of the Earl Marshal, who had commanded Gloucester's troops in Hainault; ² it forbade the duel to which Burgundy had challenged Gloucester, and committed "the personal quarrel and debate" between the two to the arbitration of Bedford and the Dowager Queens of England and France; ³ and it compensated Gloucester for any touch of disappointment in this prohibition or for any annoyance at the decision of parliament to negotiate with Burgundy for the release of "my

¹ *Rot. Parl.*, iv, 261.

² *Rot. Parl.*, iv, 262-274.

³ *Rot. Parl.*, iv, 277.

lady's person of Gloucester " by granting in July a petition of the commons which in the face of a deficit of £20,000 in the treasury recommended a loan of 20,000 marks in four yearly instalments to meet " the diverse necessities " of the King's " bel uncle of Gloucester," and suggested that the lords of the council should give the necessary security for the loan.¹

Personal
relations
of
Gloucester
and
Beaufort.

The relations between Beaufort and Gloucester during the earlier part of 1425 are obscure. It is possible that both had much to say, and said it. Rolls of parliament and acts of council are sometimes as studiously silent on the personal relations of statesmen as chroniclers are gratuitously explanatory of their motives. There is nothing improbable in the conjecture that Beaufort resented the early termination of his quasi-protectorship by Gloucester's return, or found it hard to slip back quietly into a secondary position on the council; or in the suggestion that Beaufort commented upon the policy and strategy of the campaign in Hainault, and that Gloucester "retaliated by an attack upon the bishop's administration during his absence." The official records from April to July show no sign of such a collision, but the sequel proves that a crisis was even then impending. When the crisis came, it was evident that the relations of the two men had moved a long step further for the worse. Questions of policy, details of administration were still the *casus belli*. But it is a true estimate of the case to say that "it was about this time that the struggle between the two chief men in the kingdom passed from the stage of political rivalry to that of personal competition."²

¹ *Rot. Parl.*, iv, 289.

² Vickers, p. 164.

The enmity between protector and chancellor did not break into open conflict until October, 1425, but already in February the chancellor had made enemies in London. On the night of February 14th "were cast many bills in the city and in the suburbs again the Flemings, and some were set in the bishop's gate of Winchester and in other bishops' gates."¹ Next morning, the chronicler adds, the bishop sent Sir Richard Wydeville "to keep the Tower of London with men of arms as though it had been in the land of war," and the Tower remained so garrisoned until the end of October. The acts of the council on February 26th contain a resolution to entrust the custody of the Tower of London during the King's pleasure to Richard Wydeville, knight, chamberlain of the Duke of Bedford, "on account of certain urgent causes then moving them and certain imminent dangers." The seriousness of the situation is proved by the fact that Wydeville was authorised to use his own discretion as to the number of men-at-arms and archers required, and to make his own arrangements with the treasurer for their payment. If the chronicler's date, February 15th, is correct, the garrisoning of the Tower was the action of the chancellor, who, in the absence of Gloucester, was practically acting as chief councillor and virtual protector. Gloucester's absence makes it plain that the chancellor's action in the matter of the Tower, though it became in a few months a *casus belli* between himself and Gloucester, was in the first instance honestly prompted by his fear of an anti-foreign riot in the city. It was a bold stretch of his authority, but the council by sanctioning the step showed that it shared his alarm. The other councillors present on the 26th were the Archbishop

Beaufort's
unpopular-
ity in
London.

His
garrisoning
of the
Tower.

¹ Gregory, p. 158.

of Canterbury, the Bishops of London, Worcester, and Bath (the treasurer), the keeper of the privy seal, and Lords Cromwell, Scrope, Tiptoft and Hungerford. The prelates were possibly the "other bishops" whose London houses had been placarded like the chancellor's, evidently because they had supported the policy against which the placards were a protest. It would be precarious to build any theory on the absence of the greater lay lords on the 26th, for they were absent from the council on the 23rd and 25th also, when altogether different business was on hand. There is no doubt, however, that the chancellor acted with a high hand. The chronicler's dates are vague, but somewhere in "that same year," and probably before Gloucester's return in April, "there were many worthy men of London appeached of treason by a false boy Peloure by excitacion of the Bishop of Winchester, as many men noised and said," though the good citizen adds, "if it were true or not, I remit me to God."¹ The same happened in other towns also, Leicester, Winchester, Canterbury, Exeter, Bristol, Coventry, York; evidently the anti-alien movement was gaining ground in other commercial centres. But it was in London that the chancellor took the severest measures. He sent to Windsor for most of the retinue of the King's household, and ordered the prentices of the Inns of Court to Westminster, "and there they come in their best array"; and then he summoned the mayor and aldermen, and "arrested many worthy men of the city." The grievance of the merchants found expression in the parliament which met in April. There "was much altercation between the lords and the commons for tonnage and poundage." Eventually the wool duties from all

His
commer-
cial policy.

¹ Gregory, p. 158.

merchants, native and foreign, were renewed, and tonnage and poundage also from foreign merchants ; but the grant of tonnage and poundage from native merchants, the first grant of the kind in this reign, was only made on condition that "all manner of aliens should be put to host as English men been in other lands"—*i.e.*, should place themselves at once under the roof of a responsible landlord—and sell off all their goods within forty days. This condition was broken that very year by the Bishop of Winchester, "as the most people said, he being chancellor the same time," and the violation gave rise to "much heaviness and trouble in this land."¹ We are not told how he broke the condition, but the reference to his chancellorship suggests that perhaps he acquitted foreign merchants prosecuted for not fulfilling the requirements. His motive in taking such a line of action was probably as honest as the action itself was fearless. His private interests as the greatest wool-merchant of the land might lead him rather into co-operation against foreign traders than into conflict with English traders. It was probably the supreme national interest of the maintenance of friendly relations with Burgundy which led him to favour the Flemings trading in England, especially at a time when those relations were being imperilled by Gloucester's proceedings in Hainault. Gloucester's name is not mentioned in this matter of the anti-Flemish agitation, but it has been suggested that he was responsible for the earlier exemption of English merchants from tonnage and poundage. He was certainly as popular with the commercial magnates of London as Beaufort was unpopular. There was, however, an industrial crisis that same year in which

Gloucester
and the
industrial
crisis.

¹ Gregory, p. 157.

Gloucester seems to have shown a leaning towards the lower classes. Parliament had at the instance of the commons passed a statute prohibiting "the annual congregations and confederacies made by masons in their general chapters and assemblies." These trade-unions were combining to defeat the provisions of the Statutes of Labourers.¹ The mayor and aldermen, in pursuance of the new statute, made certain ordinances "against the excessive taking of masons, carpenters, tylers, dowbers (*i.e.*, plasterers) and other labourers for their daily journeys," and the labourers showed their resentment by circulating placards of a seditious character in which they threatened to rise in their thousands. Beaufort in 1426 complained that Gloucester "did not the devoir and diligence which it seemed to my said lord the chancellor that he might have showed," and in fact allowed the agitation to assume a dangerous aspect.² The accusation has been denied on Gloucester's behalf on the ground that the civic authorities, who supported him consistently, would not have supported him if he had disregarded their regulations. Beaufort may of course have exaggerated Gloucester's encouragement of the agitators; on the other hand, it is possible that Gloucester may have adopted an attitude of non-intervention with the view of winning the favour of the working classes as far as it could be won without losing the support of their employers.

Gloucester's main grievance, which led to the final conflict, was his exclusion from the Tower. Wydeville had strict orders from the chancellor to admit no person "stronger than he" without express orders from the council; and after Gloucester's imprudent

¹ *Rot. Parl.*, iv, 292.

² Kingsford, *Chron. Lond.*, p. 85.

interference on behalf of a political prisoner the chancellor renewed the instructions with special reference to Gloucester by name. At this moment the custody of the person of the young King, then at Eltham, became a matter of importance and contention. Gloucester accused Beaufort of intending to take possession of the child; Beaufort evidently expected Gloucester to take the same step. Apparently either disputant suspected the other of intending personal violence. Beaufort collected near his palace in Southwark a force of archers from the counties of Lancaster and Chester, retainers from the royal duchies. Gloucester appealed to his friends the mayor and aldermen, whom he had already taught to regard the precautions taken at the Tower as an insult to the city. The city fathers were dining in state on October 29th, the lord mayor's day at that time. Gloucester sent for them before the close of their banquet, and urged the new mayor "to keep well the city that night and make good watch." Next morning the northern gate of London Bridge was strongly guarded by order of Gloucester and the mayor. The London chronicles are not consistent in detail, but apparently Beaufort's men attempted to force their way into the city. This move has been regarded as an attack upon Gloucester's person, but it was probably an attempt to occupy or reinforce the Tower. The citizens closed their shops and swarmed to the defence of the gate, and Beaufort's men fell back and proceeded to fortify the Southwark end of the bridge, where the knights and squires and archers of his forces drew the chain of the "stulps" (*i.e.*, posts), and barricaded the road and garrisoned the windows, either to repel an expected attack from the citizens or to resist Gloucester's supposed intention of

The
conflict
over
London
Bridge.

making his way to take possession of the young King at Eltham. At this stage, however, the primate intervened with Peter, Duke of Coimbra and Prince of Portugal, a son of Philippa, eldest daughter of John of Gaunt, and therefore a nephew of Beaufort and a cousin of Gloucester. Eight times on that day the two mediators between protector and chancellor rode across the bridge before they succeeded in removing the danger of actual bloodshed. Then the mayor and his aldermen persuaded the people of London to go quietly home. The London chroniclers are agreed that there was "none harm done through all the city." Wavrin, the French chronicler, is evidently wrong in his story that Beaufort was penned up in the Tower for three days by the violence of Gloucester and lost the lives of eight or ten of his retinue,—perhaps an echo of a Burgundian and therefore anti-Gloucesterian report. On the other hand, the impression given by the London chroniclers that the whole city came to Gloucester's defence as "against the King's enemies" is probably an echo of the popularity of the duke. Hall may be nearer the truth in describing the shops as shut "for fear of those two great personages, for each part had assembled no small number of people." The city, moreover, was at the mercy of the populace while its authorities and its steadier citizens were rallying to Gloucester's side.

Beaufort's
appeal to
Bedford.

Beaufort wrote a brief message to Bedford the very next day, urging him to return at once to England. "For, by my troth, if you tarry, we shall put this land in adventure with a field. Such a brother you have here; God make him a good man. For your wisdom knoweth that the profit of France standeth in the welfare of England."¹ Bedford, knowing only too

¹ *Hist. MSS. Comm.*, 5th Report, p. 213.

well how entirely success in France depended upon peace at home, entrusted his command to three trusty lieutenants—Warwick, Salisbury, and Suffolk—and started for England. Meanwhile Gloucester was master of the situation. On November 5th he brought the young King to London, and on that same day the council consented to lend him 5,000 marks to be repaid when the King was fifteen, a loan which he promptly spent in sending a small force to Jacqueline's aid in Hainault, where it was crushed within two months. Bedford landed with his wife on December 20th, and was met by Beaufort on his way to London. The mayor and his citizens escorted the protector—for Gloucester was now reduced by his brother's presence to his secondary place as chief councillor—from Merton to Westminster, where he took up his quarters in the King's palace, the duchess and the chancellor lodging in the abbey. The mayor and citizens presented Bedford with a pair of silver-gilt basins containing 1,000 marks, "and yet they had but little thank." Bedford's coolness no doubt implied disapproval of their recent antagonism to the chancellor, and there is no reason to disparage his judgment as a mere reflection of the chancellor's story of the conflict.

Parliament had already been summoned to meet on February 18th at Leicester, either because the chancellor was afraid of Gloucester's influence in London or because the council wished to secure a calmer atmosphere. Meanwhile Bedford and the council did their best to reconcile the duke and the bishop. On January 29th they sent a deputation from the council at St. Albans to urge Gloucester to meet Beaufort at Northampton on February 13th, when the council was to prepare business for the coming

**Interven-
tion of
Bedford
and the
Council.**

parliament. The commissioners were to point out to Gloucester that the dispute must come before parliament, and had far better be settled before parliament met. The duke was to be pressed to withdraw his refusal to meet the chancellor. He need not fear a riot, for the King's orders would keep the peace, and the bishop had promised to restrain his men. In fact—they were to tell Gloucester, but only if he were still obdurate—the bishop had undertaken to reduce his retinue if the duke would do the same. “Justice and reason should be duly and indifferently ministered” to the duke in “the matters of his displeasance and heaviness” against the bishop; but even if he were king it would be unreasonable of him to refuse to hear the “answer and excusation” of a peer who had offended him. The late King when he was Prince of Wales had to meet Archbishop Arundel, the chancellor, at a time when there was enmity between them. If the duke, however, made his attendance at the council conditional upon Beaufort's dismissal from the chancellorship, he must be reminded that such dismissal would only be reasonable when the chancellor had been proved guilty, and that the demand for such a dismissal was “too great a taking of any subject upon the King and his freedom.” In any case the duke's presence would be required at the parliament at Leicester. Two things are to be noticed in these firm and tactful instructions. If Beaufort had appealed to Bedford against Gloucester, Gloucester had now taken the position of complainant against Beaufort, and the council accepted this view of the case provisionally. On the other hand, Gloucester had put himself in the wrong in refusing to face his opponent. There is no need to attribute

these instructions to Beaufort's influence. They evidently represent the judgment of Bedford.¹

Whether Gloucester came to the council or not, the dispute was still unsettled at the meeting of "the parliament of bats," so called because the hostile retainers, forbidden to carry weapons, armed themselves with bats or bludgeons. The chancellor in his opening speech maintained a discreet silence upon the topic of the hour. He pleaded for three matters of primary importance, (1) the "observance of the law of God and the defence of the flock of God against the invasion of perfidious heretics and Lollards," to the glory of God; (2) good counsel and justice, to the honour of the King; (3) solid support of crown and country with men and means, to the peace of the people. His only allusion to the great quarrel lay in his text, *sic facite ut salvi sitis*.² But the quarrel was there, and for ten days it kept parliament waiting in suspicion and alarm. At last the commons prayed the lords to take steps to heal the dissensions which, they declared with regret, they understood had arisen between certain great men. On March 4th Bedford and the peers undertook on oath "to proceed truly, justly and indifferently without any partiality" in all matters between the duke and the bishop, and on the 7th the duke consented at Bedford's request to lay his case before a special commission of nine peers and to abide by their arbitration, and Beaufort gave a similar promise. The commission was strong and well-balanced. Archbishop Chichele was at its head, and associated with him were the Dukes of Exeter and Norfolk (the bishop's brother and the duke's friend respectively), the Bishops of Bath, Worcester,

"The
Parliament
of Bats."

¹ *Proceedings*, iii, 181-187.

² *Rot. Parl.*, iv, 295.

Gloucester's accusations and Beaufort's answers.

and Durham, the Earl of Stafford, Lord Cromwell, and William Alnwick, the keeper of the privy seal.

Before this commission Gloucester laid a written statement of his grievances, and Beaufort a written defence of his action.¹ It will be convenient to take the charge and the answer on each point together.

(1) Gloucester complained that when he "being protector and defender of this land" desired to take up his quarters in the Tower, Wydeville, by Beaufort's orders, refused him admission, and was "protected and cherished" by Beaufort in this action "against the state and worship of the King and of my said lord of Gloucester." Beaufort replied that it had been decided in Gloucester's presence, before he went to Hainault, that the Tower should be "notably stuffed, victualled and kept" for causes "such as were then thought reasonable." The order was not executed at once, but during Gloucester's absence in Hainault the King's peace had been disturbed by a popular agitation which threatened rebellion and frightened strangers under the King's protection into flying from England, and the Tower was then placed in Wydeville's charge by the council to maintain order in the city. Soon after Gloucester's return the council heard that he had been expressing his sympathy with the citizens, intimating that he would not have allowed them to be overawed in this way if he had been at home, and "offering them thereupon remedy if they would." Shortly afterwards Gloucester had removed from the custody of the lieutenant of the Tower a "friar Randolph," imprisoned for treason against the late King, and had refused to surrender the prisoner, declaring that "his commandment was sufficient warrant and discharge." The lieutenant

¹ Kingsford, *Chron. Lond.*, pp. 76-86; Hall, pp. 130-134.

reported the matter to Beaufort, who considered that the duke "took upon himself further than his authority stretched unto," and began to fear that "lest the Tower had be strong he would have proceeded further." This was the reason why the chancellor, when Wydeville came to ask his advice about Gloucester's renewed demand for admission to the Tower, gave him the distinct order to exclude Gloucester or any other magnate without special warrant of the council.

(2) Gloucester's second complaint was that Beaufort proposed on his own authority to remove the child-King from Eltham "to the intent to put him in such governance as him lust." This accusation the chancellor simply denied, "for he ne could conceive any manner of good or advantage that might have grown unto him thereof, but rather great peril and charge."

(3) Gloucester stated next that in virtue of his own claim to "the governance of the King's person" he intended to thwart Beaufort's purpose by going to Eltham himself, and that Beaufort barricaded the Southwark end of the bridge, and garrisoned the street, "to the intent of final destruction of my said lord of Gloucester's person as well as of those that had come with him." To this Beaufort replied that he had acted in self-defence. As early as the parliament of April he had been warned by various trustworthy persons that Gloucester "purposed him bodily harm," and he had been urged to absent himself from Westminster by way of precaution. During that very session a city mob had gathered on the wharf near the Crane in Vintry Ward and threatened they would have thrown the bishop into the Thames, "to have taught him to swim with wings." Gloucester

himself had confessed his enmity. When the rest of the council on the arrival of envoys from Bedford called upon the duke at his inn on October 28th and asked to know the truth, he admitted that "he was heavy toward my Lord of Winchester and not without causes, peradventure as he would put in writing." On the 29th Gloucester had ordered the citizens to remain under arms all night, for reasons unknown to the chancellor, and strong language had been used against the chancellor. That same night Gloucester had ordered the men of the Inns of Court to attend him at eight in the morning in their best array, and next day had demanded of the mayor an escort of 300 horsemen, evidently to force his way to the King. The blockading of the bridge by the chancellor's men had been merely intended for "his own surety and defence according to law of nature."

(4) Gloucester finally raked up the old story of the arrest of the man who confessed that he was sent to murder the Prince of Wales "by excitacion and procuring of my Lord of Winchester," and withal

(5) the more probable but incompatible story that the bishop had instigated the Prince to take advantage of Henry IV's sickness to claim "the governance and crown of this land" for himself. In answer to these two charges the chancellor made a general protest of his loyalty to all his sovereigns and especially to Henry V, who "would not for the time that he was King have set in my lord the chancellor so great trust as he did, if he had found or trowed in him such untruth before."

(6) Gloucester had apparently complained that Beaufort's letter to Bedford implied an intention on the part of the chancellor "to gather a field" and break the King's peace. Beaufort's answer was that

the language of the letter proved his loyalty to the King and his anxiety to avoid the very danger he was accused of inviting. It was Gloucester's negligence in the face of the rioting of the labourers of the city that had encouraged the "field-making," and necessitated the appeal to Bedford.

It is difficult at this distance to strike a true balance between the conflicting evidence of the two antagonists.¹ The support which the Londoners gave to Gloucester was too largely a tribute to his personal popularity to be taken as a conclusive proof of the justice of his claim to stand for the cause of law and order. No doubt the struggle was mainly "a fight as to who should govern England." Yet on the whole Beaufort's was the right cause, though he handled it unwisely. Gloucester's proceedings in the matter of the Tower were an attempt to override the limitations of his protectorship and ignore the authority of the council. On the other hand Beaufort in his resistance to Gloucester's self-assertion against the council was led into a self-assertion on behalf of the council which spoiled his case. His letter to Bedford was written a week too late. He had made the mistake of pitting his own strength against Gloucester's instead of calling in the superior authority of Bedford in the first instance. At bottom the question was constitutional, but Beaufort's action gave it a personal aspect. Something of this idea seems to have underlain the award of the arbitrators. They ignored the constitutional issue and dealt only with the personal. On March 12th they ruled that

Settlement
of the
dispute.

¹ The fullest discussion of the conflict is Vickers, *Gloucester*, pp. 170-174, an able defence of the duke. For views favourable to Beaufort see Ramsay, i, 360-362, 365-367; Oman, p. 297.

the bishop was to make solemn declaration in parliament of his faithful allegiance in the past to the three Lancastrian sovereigns, and Bedford in the name of the King and council was to declare him a true and loyal subject. The bishop was then to swear that he "never imagined ne purposed thing that might be hindering or prejudice" to the "person, honour or estate" of the duke, and Gloucester was to reply: "Bel uncle, sith ye declare you suche a man as ye saie, I am riht gladde that it is so, and for suche I take you." The two were then to shake hands, "in sign and token of good love and accord; the which was done."¹ Shakespeare draws an unwarrantable contrast between the sincerity of the duke and the insincerity of the bishop.

Glouc. So help me God, as I dissemble not.

Winch. So help me God, as I intend it not. [*Aside.*]²

**Beaufort's
resignation
of the
Chancellor-
ship.**

If insincerity there was, it was mutual. Beneath the outward reconciliation still smouldered the "privy wrath" that broke into flame again and again in later years. Even now it was impossible for both men to remain in office. Two days later Beaufort, conscious of practical defeat or consenting to an appeal from Bedford, resigned the chancellorship, and Bishop Stafford, the treasurer, followed his example. The chancellor had one immediate consolation. The commons, voicing apparently the request of the merchant classes, wanted to withhold the payment of the subsidies granted in the parliament of 1425, evidently on the ground that the restrictions upon foreign merchants had been evaded. A vigorous

¹ Kingsford, *Chron. Lond.*, pp. 91-94; Hall, pp. 134-137; *Rot. Parl.*, iv, 296-299.

² *Henry the Sixth* (First Part), Act iii, Scene 1.

debate ensued, in which doubtless Gloucester supported his London friends ; but Bedford and the lords decided that the subsidies must be paid without reference to the conditions.¹ Bedford's decision may, of course, have been partly due to the pressure of financial needs ; but it is probable that he shared the chancellor's disapproval of the harsh treatment of traders of an allied nation. Beaufort, however practically retired from public life. He only attended the council four times in the next twelve months. He was present on November 24th when the council drew up fresh rules to secure freedom of discussion and efficiency of administration. But he was not present on the memorable day in January, 1427, when the new chancellor (Kemp, now Archbishop of York) and the lords of the council asked and received of Bedford a pledge emphatically recognising the supremacy of the council except where parliament had given definite powers to the protector. Neither was he present on the next day when they visited Gloucester, who lay sick in his inn, and secured from him a similar pledge with the significant addition of an apology for the reckless language in which he had asserted his independence.² It is probable that the interview with Bedford was pre-arranged to secure the success of the interview with Gloucester. The whole affair was an indirect and partial justification of the late chancellor in so far as he had recognised and resisted the danger of Gloucester's bid for personal supremacy. Beaufort could well afford to be absent on such an occasion.

The bishop was, however, contemplating a more complete retirement from the scene. On May 14th,

¹ *Rot. Parl.*, iv, 301 ; Ramsay, i, 367 n. 5.

² *Proceedings*, iii, 231-242 ; Stubbs, iii, 108.

1426, the council received a petition in which he requested the King, in consideration of his "humble chaplain's long continuance in his service," to give him licence to fulfil a long-deferred vow of pilgrimage.¹ When he went abroad with Bedford in March, 1427, it was to receive the insignia of a cardinal.

¹ *Proceedings*, iii, 195.

CHAPTER VIII

THE CARDINAL AND THE HUSSITE CRUSADE 1426-1429

WITH his promotion to the cardinalate Beaufort moved out into the main stream of the church life of the West. For some three years past he had been more closely involved in ecclesiastical affairs than appears at first sight. In August, 1423, he was associated with the papal nuncios in the instructions which Martin V issued for the detection and prosecution of forgers of papal letters and indulgences ; and a week later he was instructed along with the primate to proceed against the Irish prelates who had been attempting to extend to themselves the benefits of the anti-papal legislation which England had enacted during the schism.¹ Martin was evidently determined to retain the services of his former supporter. At the same time Beaufort had his part to play as an English bishop. In April, 1425, when he appeared in convocation as chancellor to commend the prosperity of the country to the prayers of the clergy and to request a subsidy for Bedford's operations in France, he directed the attention of the prelates and clergy to "certain defects in the English Church then more prominent than usual," which were said to be diminishing the devotion of the king's subjects to the Church.² The language is ambiguous. The defects may refer to Lollardism itself, in which case the warning is parallel to his demand in the parliament

**Beaufort
and
English
church
affairs.**

¹ *Papal Letters*, vii, 14.

² Wilkins, iii, 433.

of February, 1426, for the suppression of heresy and disorder. They may, however, refer to such abuses as the non-residence of parochial clergy, which had been the burden of more than one petition of the commons, and had been urged upon the attention of the episcopate. In that case, the warning in convocation is the complement of the appeal in parliament. The Church must set her house in order if the state was to guard her privileges. It was not enough to suppress the Lollards; the abuses which roused their protests must be remedied. It is a curious comment upon this question to find the council in March, 1426, giving permission to the Pope's nephew, Prosper Colonna, to hold English benefices to the annual value of 500 marks on condition that the King was to receive papal bulls securing the right of next presentation to the proper patrons.¹ Colonna's case was one of the few points at which Gloucester and Beaufort were content to give and take. The Pope "provided" his nephew to the archdeaconry of Canterbury in 1424, but Gloucester seems to have used his authority to delay the young man's entrance upon his archdeaconry by way of bringing pressure to bear on the Pope in the still unsettled question of Jacqueline's divorce, and Martin wrote reluctantly acquiescing in the delay and pretending to understand that Gloucester was doing his best.² The concession made by the council to Colonna in March, 1426, was probably an attempt to bribe in Gloucester's interests the Pope whom the thwarting of Colonna had failed to coerce. But later in the spring of 1426 the Pope wrote to Beaufort to thank him for his continued devotion to the Roman Church, and to John de Obicis, papal collector in

Preferment
of the
Pope's
nephew.

¹ *Proceedings*, iii, 190.

² Bekynton, i, 284.

England, to express his delight at hearing of Beaufort's efforts on behalf of his nephew and to urge him to thank "his brotherliness" (the bishop) and make full use of his services in the business of Pope and Church.¹ Prosper was at last admitted to the archdeaconry by Archbishop Chichele in July, 1426. This time it was probably not the protector but the bishop who did the Pope a good turn.

Greater things, however, were at stake in 1426 than the fortune of a young Roman. Martin was still bent upon the removal of the statutes which barred the free exercise of papal claims in England. The council of regency in 1423 had like the late king ignored his appeal for the abolition of the statutes, and Martin had to content himself with overawing Chichele in 1423 into withdrawing his proclamation of indulgences to Canterbury pilgrims as an invasion of papal privilege.² Beaufort's resignation of the chancellorship in March, 1426, was Martin's opportunity. Gloucester, anxious as he was not to be counted an enemy at Rome, was a nationalist in church politics like Chichele. Beaufort on the other hand was regarded at home and abroad as a papalist, and seemed just the man to further the interests of the Pope in England. Martin accordingly nominated him cardinal-priest of St. Eusebius on May 24th, 1426. There is no record of the date or manner of the consent of the English government to his acceptance of this dignity. Perhaps it was merely a tacit permission, the negative expression of Gloucester's readiness to see him depart. In any case, he did not leave England until March 19th, 1427. The council made him a parting present of permission to ship 800

Beaufort
appointed
Cardinal
and Legate.

¹ *Papal Letters*, vii, 26.

² *Papal Letters*, vii, 12.

sacks of wool to Cherbourg or Caen, duty paid. Bedford's consent was much more positive. The London chroniclers describe in detail the ceremony of investiture in the presence of the duke and his wife on Lady Day in St. Mary's Church at Calais. "Before the bishop went to mass the Pope's cousin brought the cardinal's hat with great reverence and set it upon the altar. And when the mass was done there was put upon the bishop a cardinal's habit of scarlet furred with puryd. And then there kneeling upon his knees before the high altar, the Pope's bulls were read to him ; and the first bull was his charge, and the second bull was that he should have and rejoice all the benefices spiritual and temporal that he had in England. And then the regent of France set the hat on the bishop's head of Winchester, and bowed and obeyed to him and took him afore him, and so went to their inns."¹

Martin V
and
Archbishop
Chichele.

The ecclesiastical crisis in England had already become acute. Martin had written in haughty terms to Chichele in December, 1426, requiring him to lead the Church in an attack upon "the execrable statutes" of Provisors and Praemunire.² The primate pleaded that he was willing but helpless. It was rumoured that the Pope intended to supersede the archbishop as standing representative of the Papacy (*legatus natus*) by the appointment of Cardinal Beaufort, and the rumour was speedily confirmed in May, 1427, by a bull of suspension for the primate and a bull of interdict for England. The council arrested the bearer and seized the bulls. Chichele appealed to a general council, and protests and testimonials on his behalf came fast to Rome from the bishops, the

¹ Kingsford, *Chron. Lond.*, pp. 95, 131.

² *Papal Letters*, vii, 24 ; Wilkins, iii, 482.

University of Oxford, and even the House of Lords.¹ The Pope poured out in succession appeals to King and parliament, and curt and insolent letters to the archbishop, who at last in January, 1428, pleaded with the commons to repeal the obnoxious statute of Provisors. His plea was fruitless; all that the commons did was to petition the King in council to send an embassy to Rome exculpating "our aller good father the archbishop of Canterbury and primate of all this land" from all charge of disregard for "the liberties of the court of Rome in this land."² The envoys were sent in July, 1428, and the matter was dropped; the Pope could humiliate a gentle primate, but he could not dictate to an obstinate parliament. There is no evidence of Beaufort's intervention in these later stages of the conflict, and it is difficult to disentangle the threads of intrigue and trace the hints of partisan jealousy which are so frequent in the earlier letters of the primate and his supporters. It is possible that some of the indications point to the influence of Beaufort or his party as having been exercised on the papal side. But no definite accusation was then made, and no conclusion can now be drawn.

Meanwhile Beaufort was doing the Pope good service in a very different field. In a letter announcing the despatch of the cardinal's hat and vestments, Martin remarked that their colour was not to please the eye, but to remind him that he must be ready to shed his blood for the Church.³ The hint was explained in a later letter dated March 19th, 1427,

Papal
Crusade
against the
Hussites.

¹ See the whole collection of documents in Wilkins, iii, 471-486.

² *Rot. Parl.*, iv, 322; *Proceedings*, iii, 301; Rymer, x, 405.

³ *Papal Letters*, vii, 25; Raynald, s.a. 1426.

which probably reached the cardinal shortly after his investiture at Calais, but may not have been an absolute surprise. Beaufort was to receive a further commission which had been contemplated by the Pope when he conferred upon him the title of cardinal, but which was all the more acceptable and practicable now that the cardinal was leaving England. If he was powerless to carry through the papal designs upon the liberty of the Church of England, he was at least free to lead the papal crusade against the heretics of Bohemia. The crisis there was more urgent than ever. In June, 1426, the Bohemian patriots had inflicted a crushing defeat upon the Saxon forces that blocked their advance at Aussig. The Pope had striven not without success to rouse the chivalry of Germany, but he needed a strong man to unite and lead the divided and undisciplined forces of the Empire, and a man of rank and influence to win support in England and France for the cause of the Church. Martin found both men in Beaufort, and with the full approval of Sigismund he appointed the cardinal papal legate in Germany, Bohemia, and Hungary to organise the new crusade against the Hussites. In his letter of March 19th the Pope explained to Beaufort that although his legates had failed hitherto he had not yet lost hope. It was still his daily prayer that the sick flocks might be healed of their leprosy or be cut off from the land of the living lest they should infect others with the contagion of their heresy. Various reasons, he said, had led him to single out the cardinal for this task of conquering or converting the heretics—the ability that Beaufort had shown in the matter of the unity of the Church (*i.e.*, at Constance), his high lineage, his experience in affairs of state, and the soldierly fame

of his realm and nation. The last qualification consorts but ill with the comparison of the legate's mission to that of "an angel of peace"; the whole tenor of the commission implied that conquest rather than conversion was its aim, and the sequel proved that the truth was rarely to have a chance of wielding its own proper weapons. The cardinal was urged to make his acceptance of the task the first fruits of his cardinalate; and the Pope wrote separately also to the King of England, to the bishops and other members of his council, and to Bedford, to urge Beaufort to undertake the task. At the same time, he wrote to the Bishops of Würzburg and Bamberg and to Frederick, Margrave of Brandenburg, announcing Beaufort's appointment as legate and authorising the bishops to enlist and absolve soldiers and supporters of the crusade.¹

Beaufort wrote to Martin from Mechlin on June 15th in high spirits, accepting his commission and promising immediate action. He utilised the occasion to press the claim of his nephew, Robert Nevill, son of the Earl of Westmoreland, to the bishopric of Salisbury. Nepotism was a common fault of the age, but this particular case is interesting as evidence of a rift between Beaufort and the English council. The chapter had elected its dean, Simon Sydenham, but Nevill had been recommended both to the Pope and to the chapter by letters in the king's name procured probably by Beaufort's influence. On May 15th Gloucester and the council, including the two primates and three other bishops, gave their opinion man by man in favour of permitting Sydenham to prosecute his claim at Rome "notwithstanding the royal letters, etc." The Pope's reply to Beaufort's

Preferment
of
Beaufort's
nephew.

¹ *Papal Letters*, vii, 30-32; Raynald, 1427.

appeal was shamelessly frank. On July 9th, the day after his receipt of Beaufort's letter, he had nominated Nevill to the vacant see. The election of the dean by the chapter was, he said, canonical and unassailable, and the bishop-elect highly recommended by many, whereas the cardinal's nephew was open to objection on the score of age ; he had, however, resisted all persuasions and annulled the election, choosing to please the faithful cardinal alone rather than many others.¹ Chichele had to consent to consecrate the cardinal's nephew in October, 1427. Sydenham had to wait his turn ; in February, 1431, he was consecrated to Chichester by the cardinal himself.

Defeat of
the
crusaders
at Tachau.

The response of the Germans to the papal appeal for crusaders was large ; the force was variously numbered from 150,000 to 200,000. The legate himself brought a thousand men, who must have been drawn from the forces in France, for it was only in 1429 that he obtained permission to raise troops in England. Halting on July 13th at Nuremberg to make a vain attempt to secure at least a truce between the Archbishop of Mainz and the Landgrave of Hesse, he crossed the Bohemian frontier near Tachau at the end of July only to meet the vanguard of the huge German army pouring back in panic before a far smaller Bohemian force which they had not dared to face. Astounded at their cowardice, he urged them in the name of God and for the sake of their honour and salvation to turn and confront the enemy, and unfurling the papal ensign placed himself, crucifix in hand, at the head of his own contingent. He succeeded in rallying the whole army, and knowing that dissension made them their own worst enemies, induced the princes to take an oath of mutual fidelity. The

¹ *Papal Letters*, vii, 32 ; *Proceedings*, iii, 269.

Bohemians, weak in number but strong in spirit, moved steadily forward with their formidable fighting-waggon, which were more than a match for cavalry ; and their advance started a second panic in the German host. This time the Cardinal of England strove in vain to check the stampede. Pleading and threatening in turn to deaf ears, he seized the imperial flag and tearing it to shreds flung the pieces with words of scorn and anger at the feet of the German princes, retreating himself at the last only in time to save his own person from the hands of the victorious Hussites. The Bohemians bursting through the forest inflicted heavy loss upon the beaten army on its disorderly flight across the frontier, and took the town of Tachau by storm.¹

The disaster made a great impression upon the western world. Various explanations were forthcoming at once. The Germans covered their disgrace by charging their princes with treachery. The Margrave of Brandenburg, it was said, had been tempted by the Praguers with an offer of the Bohemian crown, and the army was paralysed by his abstention from the fight. Beaufort saw clearly one reason for the failure. Defective organisation and poor tactics made the very magnitude of the army a disadvantage and a danger, and he set himself in a businesslike and soldierly way to raise a small paid standing army. His diagnosis was so far correct ; but even Beaufort was unwilling or unable to see that the best organisation could not give a miscellaneous mercenary force the strength which patriotism and

Beaufort's
endeavours
(1) to
rally the
Germans,

¹ Aeneas Sylvius, *Hist. Bohem.*, c. 48 ; Raynald, 1427, § 5 ; Andreas of Ratisbon, *Chronicon*, in Höfler, *Geschichtschreiber der Hussitischer Bewegung*, ii, 454 ; Palacky, *Geschichte von Böhmen*, iii, 443-447.

conviction gave to the Hussite. The Pope was as blind or as obstinate. The rout of "the faithful," which Nicholas Bildeston, the legate's chancellor, had reported at Rome, was a terrible blow to Martin's hopes. He wrote bravely, however, in September, thanking and commending his legate for all that he had done or attempted, and urging him to persevere, especially in his efforts to rouse or control the princes and prelates of Germany. The cardinal would not need specific instructions, but he would of course deal stringently with the bad example set to the German laity by the alleged immorality of the Archbishop of Cologne and the Bishop of Würzburg, and he would insist upon a reconciliation between the prelates of Cologne and Mainz, whose abstention had so seriously weakened the late crusade.¹ Bulls were issued throughout Christendom asking for a tenth to pay for the new standing army; the Pope himself was prepared to give a fifth of his revenues. The faithful at Pilsen, a town near the scene of the disaster, were warned to abstain from controversy with the heretics; the faith needed no other defence beyond the martyrs, the councils, and the fathers. Martin wrote to John, Bishop of Olmütz, who had been made cardinal at the same time as Beaufort and with the same purpose, urging him to prevent disputation, or, if it were inevitable, to obtain the expert services of doctors from the University of Vienna. Beaufort, more sanguine of success in the war of words, had already written to two former masters of the University of Prague to undertake the task of enlightening the misguided Bohemians. This particular disputation was not without interest, for one of the two antagonists of Beaufort's champions was Peter Payne, a

(2) to
convert the
Bohemians,

¹ *Papal Letters*, vii, 35.

Wycliffite refugee and an old Oxonian. But it was a fruitless effort. Its aim was apparently rather to conciliate the moderate reformers than to convert the extremists ; but it left the various parties on worse terms than before.

The Cardinal of England was meanwhile throwing himself whole-heartedly into the work of preparing for a second crusade on a plan which was little less than a scheme for the organisation of the Empire. Largely through his efforts an imperial diet was held at Frankfort in the November and December of 1427. A " Hussite-tax " was ordered, to provide funds by February, 1428. A small federal council was appointed to superintend the preparations, and the legate and the Margrave of Brandenburg were to head the new army which was to meet on the Bohemian frontier in June. Beaufort's plan promised well, but the promise was not fulfilled. Funds came but slowly. Many of the clergy paid their share promptly ; but many princes and cities collected their quota and then kept the money in hand under the pretext of awaiting further orders. The Pope pleaded and scolded, and the princes met in council again and again, but without result. Later in the summer Beaufort made his way to England to collect funds and forces, without entrusting his authority in Germany to any responsible deputy ; and in his absence the fatal weakness of the Empire asserted itself once more, and for lack of patriotism and self-sacrifice on the part of the German princes the system fell to pieces.¹

When the cardinal landed in England in August, 1428, the crusade was already a familiar topic. He

(3) to
organise
a new
Crusade.

Attitude of
the English
Church and
Govern-
ment.

¹ Andr. Ratisbon, *Dialog.* (Höfler, i, 579) ; *Chron.* (Höfler, ii, 455) ; Palacky, ii, 455-467.

had himself sent the primate a copy of the "bull legatine" of March, 1427, for publication in the province of Canterbury; and Martin had written to Chichele in October enclosing a copy of the general letter to all Christendom in which he asked for a tenth for the new crusade. Early in May, 1428, the papal nuncio, Conzo de Suola, presented his credentials to the privy council and also bulls describing the Bohemian heresy in flagrant terms and requesting a subsidy for its extermination.¹ The written answer then given by the council is not extant; but from Beaufort's own subsequent petition it is evident that the council consented "to grant people and captains notable out of this land," though no definite arrangement was made, and certainly no subsidy was granted. On May 15th Chichele published a papal letter on behalf of the crusade. A London chronicler also records the coming of this "pardon against the heretics, the which pardon was that men should every Sunday in the beginning of every month go in procession with vii psalms and the litany, and they should have a c days of pardon unto the same procession."² The King and the Queen-mother and the lords actually "went on procession through London" on June 2nd. Convocation, however, ignored Conzo's appeal for funds in June and July; and little more seems to have been done before Beaufort's arrival in September. When he published his legatine commission early in November, Gloucester in the name of the King and the council entered a formal protest against the exercise of the office of legate in England without the permission of the crown. Ten days later the convocation of Canterbury

¹ *Proceedings*, iii, 295.

² Gregory, p. 162.

again ignored the nuncio's demand of a tenth for the crusade. Martin had written to the bishops and clergy of the Church of England, regretting the postponement of the expected subsidy, and urging various reasons why the *clerus Angliae* should have been prompt to respond to his appeal. England as the nursery of the *Wicklefistae* was both the source and the support of the Hussite heresy, and had reason still to fear similar outbreaks at home. God had enriched the English Church with endowments far beyond those of other churches. Finally, they had been generous enough in providing for the secular needs of their King, and ought to be at least as generous in defence of the faith and the Church.¹ The Pope's appeal was made in vain. Fortified by the protest of the government on November 11th, convocation paid no attention to the papal demand, but proceeded to deal with the Lollards and to grant a half-tenth to the King. Its action was misreported to Martin. Chichele wrote to complain to the Pope that one James, papal nuncio to the King and to the cardinal, had stated that the bishops had overruled the desire of the clergy to grant a subsidy, and were endeavouring "to govern the realm and oppress the church." As a matter of fact, Chichele said, he had acted with the full consent of the cardinal. The council had told the cardinal that he must choose between men and money, and he had chosen to take men. The question of a subsidy had therefore been postponed until the expedition should be ready.²

The supremacy of the crown and the independence of convocation having been thus asserted, the council was not unwilling to grant the cardinal something of

Enlistment
of
crusaders
in England.

¹ Brown, *Fasc. Rev. Expet.*, ii, 616, 617.

² For proceedings in convocation see Wilkins, iii, 491 foll. ; Bekynton, vol. i, pp. xciii-xcviii.

what he desired. The acts of the council contain an interesting petition from Beaufort with the answer of the council and a formal indenture based upon that answer.¹ The indenture is dated June 18th, 1429 ; but as the cardinal started with his contingent on the 22nd, and as the answer of the council makes a stipulation with reference to his coming negotiations with the Scottish king, it is obvious that the petition and answer must be placed before his visit to Scotland in February, and early enough to allow time for the raising of the contingent. In this petition the cardinal sought permission to collect an English force of 500 spears and 5,000 archers, in fulfilment of the promise made by the council to Conzo the nuncio. The terms of his petition mark at once the zeal of the churchman and the experience of the soldier. He asked for leave to publish the crusade in all parts of England, remarking (in obvious allusion to Bishop Despenser's expedition in 1383 against the French anti-Pope) that "cruciats (*i.e.*, crusades) have been late seen in this land where the cause was not so great" ; and he wished to enlist any man who would offer his services "only of devotion and for soul's health." But he proposed to offer a definite rate of pay, to appoint his own officers, to enforce strict military discipline upon the volunteer as well as upon the mercenary, and to charter sufficient ships for transport ; and he announced his intention "not under colour of the said cruciat to suffer no religious men" that were likely to take advantage of the crusade "rather far to walk in apostasy than for desire of merit." The council, in view of the diminution of the population "by mortality and wars," and in view of the military needs of the King, limited the number

¹ *Proceedings*, iii, 330-338.

of the force to 250 spears and 2,500 bows, and stipulated that the cost should be met by voluntary offerings and not by "a common charge" upon the clergy or other estates of the realm, and that all money so given should be spent in England in the purchase of supplies for the troops raised in England. The cardinal was also required to refrain from recruiting from the English forces in France, and to provide for the return of his men to England.

A vivid picture of the organisation of the crusade is to be seen in three documents preserved in the registry of the Prior of Canterbury, viz., (1) the articles of the bull which the cardinal-legate had already forwarded to Chichele for publication in his diocese, (2) the cardinal's own instructions to the preachers of the crusade, and (3) the supplementary instructions issued by the archbishop in January, 1429, to officials of his own diocese.¹ Varying degrees of absolution or indulgence were to be granted to different kinds of supporters, to crusaders serving in person, to senders of men, to donors of small sums, to women and such other persons as could only fast and pray. Special forms of divine service were provided for the conferring of the crusaders' badges, and for the monthly masses and litanies and processions on behalf of the crusade. The faithful of each rural deanery were to be summoned together and notified of the times and places at which the indulgences were to be obtained; copies of the indulgence were to be supplied to any curate who desired to promote the crusade among his people; and the chief churches of the diocese were to have at their doors collecting-boxes marked with the cross and labelled, "This chest is for the crusade."

¹ Brown, *Fasc. Rer. Expet.*, ii, 611-626.

Conference
with the
Scottish
King.

While these preparations were in full swing, the cardinal turned his attentions to the northern kingdom, the home of his royal niece Joan. On February 10th the council gave him permission—without which special permission “our cousin the cardinal dare not take upon himself” the matter in question—to arrange a conference with the Scottish King on matters “touching the state of the catholic faith and the honour and advantage of the universal Church, as well as the honour and interest of the realm.”¹ The cardinal was anxious to obtain Scottish support for the crusade; the council no less anxious to prevent Scottish assistance to France. In their answer to the cardinal’s petition for licence to publish the crusade, they had stipulated that he should do his best to secure the friendship of the Scottish King and the observance of the truce and the “other appointments made with the King” of England, *i.e.*, the payment of his ransom. The cardinal promptly made his way northwards. On February 12th he broke his journey at St. Albans, where he was received in solemn procession as became a cardinal and a legate, the whole convent wearing their red copes. On the morrow, the first Sunday in Lent, he took part in the regular procession, preceded by his cross-bearer, and attended by the abbot, and gave the benediction.² His friendly conference with the Scottish King and Queen at Coldingham lasted right on into March, but it bore no tangible fruit. The agents of the council brought back their receipts instead of the instalment of the ransom for which the receipts were to be given;³ and a week after the cardinal’s visit to St. Albans

¹ *Proceedings*, iii, 318.

² *Amundesham*, i, 33, 34.

³ *Ramsay*, i, 408.

on April 11th on his return to London the council were busy commissioning ships to intercept the French fleet which was rumoured to be on the point of conveying a little Scottish princess and 6,000 Scots to the court of France. Yet kinship and diplomacy had not entirely failed; there is no record of a Scottish contingent for the cardinal's crusade, but a suggestion had been made of the possibility of a marriage between another little Scottish princess and the seven-year-old King of England, which for a time engaged the efforts of the council in an attempt to neutralise her sister's French alliance.¹

A bitter disappointment awaited the cardinal on his return to London. Pending the settlement of the question which Gloucester had raised as to his retention of the bishopric of Winchester, he was requested to refrain from attending the festival of St. George at Windsor, at which he was expecting to officiate as prelate of the Garter. It is by no means certain even that the licensing of his crusade was not intended, on Gloucester's part at any rate, to remove him from the scene of political action at home. It must have been with mingled feelings that he signed the agreement with the council on June 18th, which confirmed the conditions of the crusade. The council on their part revealed their lingering suspicion of the cardinal's designs by inserting a clause forbidding him to allow his men to be employed "in any other war or service save only to the reduction or chastising of the heretics of Beeme (Bohemia)," except that he might take 200 as an escort "to accompany him further unto the court of Rome." At last on June 22nd the cardinal and his men took the road for Canterbury; but when they set sail from Dover in July it was to

¹ *Proceedings*, iii, 323, 324.

Crusaders
diverted to
the aid of
Bedford in
France.

proceed direct to the relief of Bedford, who was hard pressed near Paris.

The advent of "the maid of God" (*la pucelle de Dieu*) in March, 1429, had brought new life to the French army in spite of the sceptical inaction of its King. Early in May Jeanne d'Arc had driven the English to raise the siege of Orleans; and on June 18th, the very day on which Beaufort's indenture was signed, she defeated and captured Talbot at Patay. Bedford was expecting daily a small reinforcement under Sir John Ratcliff. This force left England on June 29th. It numbered all told 100 spears and 700 bows, about half the number that Bedford in April had asked the council to send. Alarmed by the news of the regent's danger, the council urged upon Beaufort the necessity of allowing his crusaders to serve for six months in France, and an agreement to that effect was signed between the cardinal and the council at Rochester on July 1st.¹ There is much in this agreement that is simply inexcusable. Beaufort was to be relieved of responsibility by despatches from the council ordering Bedford to detain the crusaders in France. Bonds were given to Beaufort by the council in which they guaranteed the repayment to the Pope of the cost of the six months' service of which he was to be robbed. These bonds, however, were only for the immediate security of Beaufort as against the council. For fear that their dates might give rise to "suspicion of collusion between the King's council and the cardinal," these bonds were to be replaced by similar bonds dated after the issue of Bedford's orders for the detention of the crusaders. Beaufort was to induce Bedford to pay as much as possible of the cost of the

¹ *Proceedings*, iii, 339-344.

men's service in France, "in no wise letting my lord of Bedford wit of any surety made here of repayment to our said holy Father"; and the bonds given by the councillors were to be reduced in proportion. Immediately after the publication of Bedford's "prohibition" of the crusaders' departure from France, messengers were to be sent "unto our holy father the Pope and to the princes of Almain with letters of excusation containing the causes of restraint and delay of passing into Bohemia of the said cardinal's retinue, as well in discharging of the King and declaration and keeping of his name and fame as the foresaid cardinal's." It was bad enough for the council to secure the cardinal's compliance by conspiring with him to shift the blame and the expense respectively upon Bedford in the hour of his need. It has been suspected, however, that "the whole business was a fraud from the very beginning."¹ The indenture of the crusade was signed on June 18th. On June 15th sergeants-at-arms were ordered by letters patent to impress and pay ships and mariners, and on June 16th "harbingers" were appointed to provide quarters in Kent, for "Henry Cardinal of England and his company" going abroad *on the King's service*. This may mean that the government was giving the same facilities for the despatch of the cardinal's crusaders as if they were a contingent destined for the army in France. On June 26th officers were appointed to attend the muster of the cardinal's archers and men-at-arms and report to the King², as if the council were still keeping a watchful eye upon a force which they did not intend to exceed the number licenced. On the other hand it is a

¹ Lingard, iv, 67.

² *Cal. Patent Rolls*, 1422-1429, pp. 554, 555.

remarkable fact that the contingent numbered roughly twice as many men as the council were then managing to send out under Ratcliff in response to Bedford's appeal made in April. It is possible that the council did not realise the gravity of the situation in France until they heard the news of Patay. It is, however, just as possible that they were surprised to find that they could only raise for Bedford against the Maid half as many men as Beaufort could raise for himself against the Hussite. They may even have intended from the very first to utilise Beaufort's men in France. In any case, Beaufort himself was innocent and unaware of any purpose beyond the crusade. That crusade was one of the most whole-hearted efforts of his life, and he was clearly taken by surprise when the proposal to borrow his crusaders reached him on the eve of his departure. His motive in acceding to the proposal was honest and honourable. Four days later the council rewarded his compliance with a present of a thousand marks for his trouble, and this reward has been read backwards into a bribe. It would indeed have been a poor bait for a rich man. It was an altogether inadequate compensation for his loss of his reputation at Rome ; and the very dishonesty of the agreement of July 1st bears witness to his anxious anticipation of the resentment of the Pope if ever he found out that his trusted legate had consented, however reluctantly, to the diversion of the long-expected reinforcement of the crusade. It is not unlikely that Gloucester and others welcomed the thought of alienating the Pope from his legate. The cardinal's reluctance was real and great. Even Hall, usually so prejudiced against the cardinal, approves of his action in this case. "By reason," he writes, "of the crew sent into Bohemia," Gloucester was

unable to raise troops at once, and wrote to Beaufort at Dover urging him to stop and help Bedford on his way. Beaufort was "moved with this countermand," but obeyed "lest he should be noted not to aid the regent of France in so great a cause."¹ He may have yielded partly from a desire "to disarm domestic opponents," or to win confidence for himself and his future action as legate by giving proof now of his readiness to postpone his own ambition to the interests of his country. More probably he was convinced that the need of the hour was the crisis in France, and consented to come to the rescue in the hope that his help would restore the balance of the war and that he might soon pass on to the discharge of his original commission. The latter hope was doomed to disappointment. His arrival saved the situation ; but he was kept hard at work in France, and the Pope gave him no second chance.

The Maid had fought her way to Rheims and seen Charles VII crowned there on July 17th ; and on July 23rd the French army was within striking distance of Paris. Two days later the cardinal and his crusaders entered the capital. On landing at Calais he had marched straight to Amiens, and leaving his men there paid a flying visit to the Duke of Burgundy at Corbie. The duke's sister Anne, Duchess of Bedford, had returned with her brother at the close of his last visit to Paris, and was doing her best to keep him faithful to his English allies. The duke and the cardinal had "great consultations and came to rapid decisions" ; and Beaufort, having thus stiffened a wavering ally by the way, returned to Amiens, and led his men without further delay to

Beaufort
in France.

¹ Hall, p. 152.

the regent's assistance.¹ Bedford was relieved by their arrival from all immediate danger, though after his first demonstration in force with the new reinforcements he had to remain on the defensive through August in a strong position between Paris and the French army. France was renewing her strength under the influence of the Maid, and Bedford had soon to leave Paris and divide his forces between the capital and the endangered northern provinces; but on September 8th Jeanne made an unsuccessful attack on Paris, and her superiors, who had left her unsupported, withdrew across the Seine and disbanded the army.

Efforts to
retain
support of
Burgundy.

Beaufort's doings in France after his relief of Bedford are unrecorded, with the exception of a loan to Bedford in September for the payment of troops to defend Paris; but early in October he was again in the capital, taking his part in the problem of the retention of the support of Burgundy.² Charles VII and his advisers were making advances to Burgundy all through August. Bedford did his best to counteract their influence. He sent envoys, possibly under Beaufort's leadership; he appointed the duke governor of Paris; he used his wife's influence with her brother for all that it was worth. The failure of Jeanne's attack and its sequel decided Burgundy; he turned cool to the French, and marched into Paris on September 30. Bedford, less and less sanguine of success in the enforcement of the English claims, now contemplated confining his own efforts to the command in Normandy and leaving Burgundy in authority over the rest of the English realm in France; and

¹ Wavrin, 1422-1431, Engl. Tr., p. 190.

² Beaucourt, ii, 411, 412; Stevenson, *Wars in France*, ii, 126, 141, 536 n.

the cardinal was entrusted with important diplomatic work during the month of October. On the 10th he and the abbot of Mont St. Michel were busily engaged in conference with representatives of Burgundy and the French court on the question of a general peace ; but the only definite result was the proposal of a further conference at Auxerre on April 1st, 1430, under the auspices of the Duke of Savoy and under the mediation of cardinals appointed by the Pope. On the 17th, Burgundy and Bedford both left Paris, Bedford " with a heavy heart." Beaufort, who was still occupied in arranging the transference of the government into the hands of the new regent of France, for such Burgundy practically was now, returned to England shortly afterwards for the coronation of the little King early in November.

Meanwhile the cardinal had paid the price of his compliance with the wishes of the English council. Bedford was grateful enough for that compliance, to judge from the language of his defence before the council in 1434. He spoke then with evident sincerity of " the refreshing of the retinue that mine uncle the cardinal had made for the Church, the which was notable and came thither in full good season," and enabled him to " set and keep " himself " on the field diversdays " against the " enemies that purposed to have gotten the remnant of the country."¹ But the gratitude of the regent could not compensate the cardinal for the displeasure of the Pope. On August 11th Martin wrote to Charles VII stating that he had heard a rumour of the cardinal's employment of English crusaders against the French, and denying all responsibility for an action which had left the expectant Catholics of Germany hopeless and struck a blow

Resentment
of the Pope.

¹ *Proceedings*, iv, 223.

at a faithful son of the Church. On September 7th he wrote to Charles again, expressing his regret and his helplessness, and giving the explanation which he had received from the cardinal, to whom he had sent a strong protest. The cardinal's excuses were that he had merely obeyed the orders of the crown, orders stated in terms which precluded disobedience ; that his men were not in a mood to be forced into Bohemia when they knew that they were wanted in France ; and, finally, that the Pope would be repaid the cost of the crusaders' services. Martin himself attributed the blame in vague but not unintelligible language to certain persons (doubtless the English council) " who preferred to pursue their own interest rather than the common interest of the orthodox faith." He regretted that he could do nothing to help the King of France. He could exercise no control over the crusaders ; they were a long way off, and they were Englishmen and would obey their King. However, he was writing to restrain Beaufort from displaying his legatine dignity in the English service. The letter to Beaufort was written next day ; and he was forbidden to dishonour the Pope and to disgrace himself by wearing the insignia of the legatine office in France.¹ A year or more later Martin appointed a new legate for Germany. The whole affair was a vivid illustration of the impossibility of serving two masters ; and the strongest disapproval of the terms of the Rochester compromise need not preclude the proper appreciation of the fact that when the inevitable choice had to be made, Henry of Winchester chose to risk the loss of a papal career for the sake of his country.

¹ *Papal Letters*, vii, 38, 39.

CHAPTER IX

THE CARDINALATE AND THE ENGLISH CHURCH AND REALM 1426-1432

THE first great English historian to do justice to Cardinal Beaufort admitted that the acceptance of the cardinalate in 1426 was "the great mistake of his life."¹ The offer of that dignity seemed to be the appropriate fulfilment of an undoubted ambition which he had sacrificed in 1418 in obedience to the will of his sovereign. Its attraction was all the greater because it seemed to open up a prospect of honour abroad just when the door was closing against his influence at home. Yet grievous disappointment awaited both the cardinal and the Pope who counted upon his services in England and on the Continent. The cardinal found himself beset by difficulties at every step. He was at once compelled to take an open part or was suspected of exercising a secret influence in the struggle between the Papacy and the Church and realm of England over questions of the independence of the national episcopate. He lost something of the goodwill of his own countrymen for the simple reason that a papal legation meant to the mind of the ordinary Englishman a heavy addition to the charges upon national resources already strained to the verge of bankruptcy. Finally, he was given but a short respite from the enmity of Gloucester, who seized the welcome opportunity of fighting him at every point of constitutional precedent

The
Cardinal's
difficulties
at home.

¹ Stubbs, iii, 111.

and principle with reference to the position of an English ecclesiastic holding an office in the papal service. The Pope's disappointment was no less keen. Long before the cardinal proved by his turning aside to the help of Bedford in France that his own patriotism was stronger even than his churchmanship it was evident that his usefulness to the papal cause was seriously impaired by the circumstances of his own position as well as by the general attitude of the English government.

His
reception
in London.

On September 1st, 1428, "the Bishop of Winchester and Cardinal of Rome," as he rode into London on his return from a year's crusading against the Bohemians, was received in state by the mayor and citizens "reverently arrayed in red hoods and green robes," and was attended in solemn procession to St. Paul's and thence to Westminster by the abbots of St. Albans and Waltham and a multitude of friars of the four orders. The chronicler of St. Albans was greatly impressed by the cardinal's grandeur. Before the civic procession came in sight, he had changed his travelling garb for a cope of crimson red velvet, with sleeves which covered his palfrey from ears to crupper, and a velvet hat and an ample hood like a scholar's cope. His cross was carried on foot before him, and on either side rode a knight holding by the brims a red hat—"not such very good ones," noticed the chronicler to his surprise—while squires held the bridle of silver and enamel, and couriers cleared the way in front. "The people were greatly delighted"; the conflicts that centred round the papal emissary were no concern of a London crowd. The whole scene was "to the great honour of city, realm, and commonwealth." So says the monastic annalist.¹

¹ Amundesham, i, 26.

The London chronicler contents himself with recording that the bishop-cardinal was "received worthily and royally of the mayor and all his brethren."¹ The city fathers could not refuse outward tokens of respect to a cardinal of royal blood, but they had not forgotten the street-war of 1425 between the bishop and their favourite "good Duke Humphrey." There were, moreover, significant abstentions from the day's proceedings. The only nobleman mentioned as present was the cardinal's companion, his nephew Edmund Beaufort, Earl of Mortain in Normandy. The only bishop to meet him was his nephew Robert, whom he had helped into the see of Salisbury. Abbots and friars, who owed to the Papacy their independence of bishop and parish priest, had reason to welcome the man whom the Pope delighted to honour ; but the monastic chronicler noted that "no other bishops were present at the reception" of the cardinal.

On September 22nd the cardinal paid a state visit to St. Albans.² The convent wore their white copes in the procession, and "the new organs made a mighty noise." The cardinal gave the benediction, and "offered" at the martyr's shrine ; and thence passed on to Langley to dine with Queen Joan, the widow of Henry IV, who was living there in enforced retirement. The cardinal also took part in various religious ceremonies of note before Christmas. On November 19th there was a sermon by an Augustine friar and a solemn procession in the city of London, and the cardinal was there with his cross like the archbishops.³ On the first Sunday in Advent the

¹ Gregory, p. 162.

² Amundesham, i, 28.

³ Amundesham, i, 31.

Protest
against his
legatine
office.

cardinal celebrated mass at St. Paul's, in the presence of both archbishops and a number of bishops and abbots, over the body of his kinsman, Thomas Montague, Earl of Salisbury, who had lost his life in the siege of Orleans.¹ Yet each of these functions had been preceded by a conflict or a repulse. A week before the London sermon Gloucester made his first open protest against the cardinal's position. On November 11th, when the legatine commission was published, Richard Caudray, the King's proctor, instructed by Gloucester and the council, entered a formal veto in the name of the crown against all and any acts of the legate. He asserted that by statute and custom alike no legate could enter the realm of England "except at the summons, petition, requisition, invitation, or request" of the King for the time being. The cardinal had come uninvited "affirming himself to be a legate of the holy Roman see, and using the insignia of his apostolic dignity after the manner of a legate." The King and his council would not object to his approaching them "not as legate but just as a cardinal of the holy Roman Church" sent by the Pope, especially in matters concerning "the exaltation of the catholic faith and the suppression of heretics." They would give willing attention to such a commissioner, for indeed they were "a most Christian prince and catholic men and faithful and devoted sons of the Roman Church"; but there must be one saving clause—"always without prejudice to the rights and privileges of the crown of my said lord the King and his illustrious realm of England." These rights, the cardinal "said openly and expressly"

¹ Salisbury's only child Alice was married to Richard Nevill, son of the Earl of Westmoreland and his wife Joan, the sister of the Bishop of Winchester.

in his reply, it was never his intention to violate, and he met the veto placed upon his legation by a public promise not to exercise his commission without consent of the crown or in derogation of the rights of King and realm.¹ It seems clear that although the futile bull of 1427 was a suspension of Chichele's ordinary authority as *legatus natus*, yet Beaufort was not actually given a special commission as legate to England. The particular exercise of legatine authority against which the protest of 1428 was made was an attempt to collect funds for the anti-Hussite crusade in virtue of his original commission as legate for Germany. Such a protest was an appropriate reception for an English legate, whose commission was as foreign in its extent as it was in its origin, and whose visit to his native land had been preceded by a bull authorising him to tax English revenues for the Pope's continental needs. Gloucester and the council had spoken on November 11th for the liberties of the realm. A week before the cardinal's association with the English bishops in the funeral of the brave Earl of Salisbury, convocation had given the Church's answer to the cardinal's mission by silently passing over the demand of a tenth for the crusade.

The state had asserted its right to control the legate in the exercise of his authority. The Church had proved its right to grant or refuse his demands. The cardinal was now permitted to raise men and means by voluntary effort. The council sent envoys with him to Scotland either to keep a watchful eye upon his proceedings or more probably to take advantage of his personal relationship to do the council's own business with the Scotch sovereign. The council paid the cardinal's expenses. Immediately before his

Question
of the
retention
of his
bishopric.

¹ *Fasc. Rer. Expet.*, ii, 618; Duck, p. 82.

return, however, in April, Gloucester made a second attack upon his status. The opposition to Beaufort this time took the form of a protest against the retention of an English see by a cardinal of Rome. Gloucester raised the question during the cardinal's absence whether his acceptance of the cardinalate had not *ipso facto* involved the resignation of the bishopric of Winchester, since a cardinal as such was exempted from the jurisdiction of Canterbury. Beaufort brought the question to a test on a side issue. The see of Winchester carried with it the office of prelate of the Order of the Garter, and Beaufort now claimed the right to exercise this office. At a meeting of the "great council" held on April 17th at Westminster in the presence of the little King the question was discussed whether the cardinal ought or ought not to be allowed to officiate, as he claimed, at the annual service at Windsor on the approaching feast of St. George. The councillors were asked their opinions separately, the two archbishops, twelve bishops, and four abbots, as well as twelve lay peers and others. They all agreed in substance that their first desire was to safeguard the authority of the King, and that as the matter was "ambiguous and undecided" the bishop should be directed to refrain from attending and exercising his claim; and "this conclusion the King"—with such responsibility as could attach to a monarch of the age of seven—"confirmed with his own mouth and ordered that the lord cardinal should be told to abstain, etc." This answer was conveyed to the cardinal by four lay peers. He brought his reply in person next day, and pressed for justice or for reasons why justice should not be done to his claim. He was asked to withdraw, and the lords of the council gave their opinions singly once more.

They said that it was "an unusual thing to be a cardinal and at the same time retain a bishopric in England," but still they neither desired nor dared to prejudice either the authority of the King during his minority, or the privileges of the bishop and his church; so they would content themselves with requesting him to refrain from attending the festival for the present.¹

It was a drawn battle. Beaufort was too strong to be driven from his position on a side issue; and two years later the question of the retention of the bishopric was raised by Gloucester directly on its own merits. On the other hand Beaufort had been compelled to waive the claim which he had counted on vindicating.

The cardinal was doubtless glad to fling himself for the next two months into the work of organising his crusaders, and then to exchange the bitter limitations of English politics for the freedom of service abroad, even though Bohemia had to be forsaken for France. In October he returned to England to make the most of a fresh opportunity. Bedford had urged the council at home to send the young King over to France to secure the loyalty of his French subjects; and the parliament which met in September, realising the urgency of the request all the more now that France had crowned its own King, began to make hasty preparations for the coronation of Henry VI at Westminster which must precede his coronation in Paris. The cardinal came home for the purpose. He took part in the state ride from the Tower to Westminster on the eve of the coronation, and in the "hallowing" of the young King in the Abbey on Sunday, November 6th, the feast of St. Leonard. The chronicler of St. Albans says that it was the cardinal who celebrated the mass and Archbishop

Coronation
of Henry VI
at West-
minster.

¹ *Proceedings*, iii, 323; Rymer, x, 414; Vickers, p. 213.

Chichele who anointed and crowned the King.¹ According to the elaborate account of the ceremony given by the London chronicle of Gregory it was the archbishop who sang the mass; the Bishop of London administered the chalice to the little King, while "the Cardinal of Winchester and another bishop held to him the towel of silk" as he knelt before the altar. In the procession from the Abbey to the hall first came the new knights and the lords, then the chancellor (the Archbishop of York), bare-headed with his cross, "and after him came the cardinal with his cross in his habit like a canon in a garment of red chamelet, furred with white meniver; and then followed the King," led between the Bishops of Durham and Bath, with his train borne up by his tutor the Earl of Warwick. The new Earl of Salisbury, Beaufort's nephew, acted as Constable of England in Bedford's absence, Gloucester as steward, and Norfolk as marshal. At the banquet in Westminster Hall "the King kept his estate, and on the right hand sat the cardinal with a lower estate, and on the left side sat the chancellor and a bishop of France, and no mo at that table."²

Position
of the
Cardinal
at the
Privy
Council.

The lords decided at once that the coronation had reduced Bedford and Gloucester from the rank of protector to that of chief councillor. Gloucester may have suspected the hand of Beaufort in this matter. At any rate, he seized the first opportunity to strike again at the cardinal's position. This time it was the cardinal's right to sit on the King's council that was challenged, and this time the cardinal won his case. His place on the council was retained for him by a resolution of the lords spiritual and temporal passed

¹ Amundesham, i, 44.

² Gregory, pp. 165-170.

on December 18th, which illustrates at once his personal influence in parliament and yet the suspicion which parliament felt with regard to the position of a prince of the Roman Church at the court of the English realm. It was contrary to precedent, they stated, that Englishmen who became cardinals should be "admitted to the King's councils as counsellors of the King and realm"; but in consideration of Beaufort's near relation to the king, in recognition of his past services to the crown, especially his recent expedition to France (*i.e.*, the diverted crusade), and in expectation of future services, the cardinal was to be not merely admitted but urged to resume his seat upon the council. Two very significant stipulations were, however, made. He was to abstain from attendance at the council when any matter had to be discussed which concerned the King and realm on the one side and the apostolic see on the other; and the protest made by the council on his first arrival in England as cardinal and recorded in the acts of the council was to remain unprejudiced and unimpaired. Beaufort accepted the situation, and thanked the King and the lords for their favour.¹ It was a double-edged favour, at once an inexpensive tribute to his own importance and an effective annulling of his cardinalate in the only matters where that office had any importance of its own. The personal tribute was, however, more emphatic than its limitations, and was echoed by the commons. In granting the King a second subsidy on December 20th, they prefaced their resolution with "a special recommendation of the right-reverend father in Christ the lord Henry by divine permission cardinal-priest of St. Eusebius, commonly called the Cardinal of England." This

Commons' vote of confidence in the Cardinal.

¹ *Rot. Parl.*, iv, 336-338.

“ recommendation ” has been taken to mean that the commons’ second subsidy was granted in response to an appeal from the cardinal made out of gratitude for the decision of the lords in his favour. He may have used his influence in this direction, or the subsidy may itself have been a proof of the satisfaction felt by the commons at that same decision in the cardinal’s favour. In any case, the context of the paragraph in the roll of parliament proves that the “ recommendation ” was the testimony borne by the commons to the cardinal’s merits. Lords and commons alike spoke well of the cardinal, and Gloucester was powerless to gainsay their will. The sacrifice of the crusade five months ago had not been fruitless. There was a little nervous anxiety on the score of the possible influence of the cardinal’s office in questions between Rome and England, but there was every confidence in his personal devotion to the interests of his country in all other matters.

Return to
France with
the King.

In February, 1430, the cardinal crossed the Channel to negotiate with the Duke of Burgundy, and on his return was induced to cross once more in attendance upon the King. He went with some reluctance. Perhaps he was afraid of the latent feuds between certain noblemen in the King’s retinue ; perhaps he was unwilling to surrender the prospect of a new lease of power at home which seemed probable in the light of the recent support given to him in parliament. Gloucester on the other hand appeared anxious to be rid of his uncle’s restraining presence. His commission as regent during the King’s absence required him to act only with the concurrence of that part of the council which remained in England, and Beaufort’s presence on the council would make the requirement of its concurrence a real check.

Parliament did not meet again until January, 1431. Beaufort came over to attend the session, and for once there was an approach to harmony between the two rivals. They seem to have met on friendly terms in connexion with the proposal of this parliament that the two royal dukes and their uncle should discuss with envoys of France and of Rome the possibilities of peace. The session as a whole was uneventful, but there is no need to attribute its peaceful character either to any special excellence in Gloucester's government or to any weakness of the cardinal owing to the absence of "his turbulent supporters" in France.¹ The commons were unusually liberal in their grants to the King. Perhaps Beaufort used his influence in that direction; but Gloucester was probably no less convinced than Beaufort that peace was yet but a pious hope. In April the cardinal went back to the trial of the Maid at Rouen, and Gloucester spent the summer and autumn in dealing vigorously with an outburst of political Lollardism and cognate disorders in the provinces. Before the end of the year the cardinal's position was attacked once more. The absence of Beaufort and some of his staunchest supporters in France gave his opponents an opportunity which they used to the full. No doubt the attack was timed deliberately for another reason also. The King's return was imminent, and his return meant the return of Beaufort and his friends and the reduction of the regent to chief councillor again. Gloucester may have wished to humiliate beforehand the man whom he regarded as bent on his own humiliation. At all events he authorised the lawyers of the crown to make out a case against the cardinal before a great council of fourteen spiritual and eight

The
Session of
1431.

Demand
for the
resigna-
tion of his
bishopric.

¹ Vickers, p. 221.

temporal peers. Precedents were quoted to prove that the acceptance of the dignity of a cardinal had always involved the resignation of an English see. Archbishop Kilwardby in 1278 and Archbishop Langham in 1368 had been deprived on this ground, and the rule must be maintained in the interests of the welfare of the kingdom. The King's sergeant and attorney accordingly presented a formal petition that the cardinal should be compelled to resign the see of Winchester and refund the revenues received from the see since 1426. The regent himself asked the Bishop of Worcester whether it was true that the cardinal had purchased from the Pope for himself, his city and his diocese, an exemption from the jurisdiction of Canterbury. The bishop reluctantly admitted that the Bishop of Lichfield had told him that he had acted on Beaufort's behalf at the papal court in the procuring of such an exemption. No further evidence of this offence, which was an undoubted breach of the statute of Præmunire, was forthcoming at the time ; on the other hand the statement of the Bishop of Worcester was not denied by the Bishop of Lichfield who was present at this very council. The bishops and other lords of the council all declared their desire to maintain the interests of the crown and realm, but in view of the cardinal's services to the nation and of his relation to the King they suggested the postponement of the whole question until he could return to give an account of his action in the matter, and they advised that in the meantime the records should be searched and the judges asked for their decision on the point of law.¹ This stay of proceedings was bare justice to an absent defendant. But the council

¹ *Proceedings*, iv, pp. xxxi-xxxiii, 100, 101, 103 ; Rymer, x, 497.

was not without justification in merely suspending instead of quashing those proceedings. They were probably aware that one of the bulls presented at the time of the cardinal's investiture at Calais in 1427 provided expressly for the retention of all his ecclesiastical preferments in England. The acceptance of a bull of this character exposed the cardinal to the penalties of the statute of Præmunire just as his acceptance of his benefices exposed him to the statute of Provisors. Probably it was only Beaufort's rank that saved him from summary condemnation on this occasion. The matter in question lay entirely within the region which the lords in December, 1429, had expressly marked off as dangerous ground on which the cardinal was not to take part in the deliberations of the council. So there was no inconsistency in the lords in welcoming and requesting his presence as an English bishop at the council in 1429 and in contemplating now the possibility of his being condemned for defiance of the standing law of the English constitution. That their action in postponing the issue for fuller investigation did involve the contemplation of a verdict against his position seems clear from the fact that the only lord who protested against their action was the Bishop of Carlisle, a known adherent of the cardinal, whose appointment to Carlisle had been met by a strong objection from Gloucester in 1429.

Gloucester was not satisfied with the proceedings of the lords. They had gone too far to be tolerable for a supporter of the cardinal; they had not gone far enough to be acceptable to his opponent. He had not, however, long to wait. On November 20th the privy council ordered writs of Præmunire and attachment upon the statute to be prepared for service upon the cardinal. The issue of formal writs of this

Writs of
Præmunire
against the
Cardinal.

character implies that the opinion of the judges had been given, and given against the cardinal. The councillors would not have proposed or consented to take such a definite step without some legal authority. The decision of the judges was, of course, in this case an expert opinion, not a formal sentence. But it was sufficient to give moral weight to the prejudice against the cardinal's position. Gloucester hastened to make the most of his new advantage. It was a "great council" which had suggested the consultation of the judges. But the temporising character of their suggestion gave reason to doubt whether they would be eager or even willing to proceed to extremities against the cardinal. If the opinion of the judges was that Beaufort had violated the law of the land, the law had yet to be set in motion. There were some at least among the members of that larger body who were neither wholly content to accept Beaufort's connexion with Rome nor wholly pleased to assist Gloucester in his opposition to Beaufort. The great council had not been unanimous even about Gloucester's salary. The privy council, or rather that portion of the privy council which remained in England to advise the regent, was more fully in sympathy with Gloucester or more completely under his control. It was to the privy council accordingly that Gloucester turned to give effect to the opinion of the legal authorities.¹ Here again, however, he was compelled to accept less than he expected. Some of the councillors remembered that the cardinal was the King's kinsman, that he had gone abroad at the request of the council, and that he had rendered notable services to the King. Other

¹ *Proceedings*, iv, 104, 105, with Sir H. Nicolas' explanation, Preface, xxxiv-xxxvi.

reasons for delay were urged by the bishop's vicar-general, the Abbot of Chertsey. The lords of the council, therefore, decided unanimously to postpone the execution of the writs until the King's return. Gloucester was reluctant to abandon the hope of speedy satisfaction ; but the lords pleaded with him to give way, and at last he yielded. The cardinal was left, therefore, still in possession of his wealth and his freedom.

Henry came back to England early in February, 1432. He was now the duly crowned King of England and of his titular realm of France, and though he had not reached his tenth birthday he was growing rapidly "in conceit of his high and royal authority," as the Earl of Warwick, his tutor, told the council.¹ Gloucester seized the opportunity of the King's presence to effect at once a change of ministry and to replace the chief officers of state by partisans of his own. Parliament met in May amid gathering clouds which soon burst. The session began with a solemn farce. The late regent professed his desire to work in harmony with the lords, and obtained their consent and promise to work in harmony with him and with each other ; and the chancellor duly reported "this pleasing fiction of concord" to the commons.² It was more of a challenge than a concession on Gloucester's part, and the challenge was promptly taken up by Beaufort, who had returned to defend himself and now met the charges hanging over his head by a bold appeal to the lords in parliament, where his strength lay. He complained that on his way to Rome, whither he was travelling in obedience to repeated instructions from the Pope

The
Cardinal's
appeal to
Parliament.

¹ *Proceedings*, iv, 132-137.

² Stubbs, iii, 118 ; Ramsay, i, 440.

and in virtue of special permission obtained from the King at Calais, he heard in Flanders, both from letters written to him and from busy rumour, that he had been accused and attacked at home on a charge of treason. Preferring the integrity of his fair name to the preservation of his worldly goods, he had returned to England to declare his loyalty and innocence in the presence of the King, and to demand there a statement of the accusation made against him, "whatever might be the estate, rank or dignity" of his accuser,—a thinly disguised hint at the person of the late regent, his only superior in station beneath the King. The accusation itself he was prepared to answer in such manner and form as became a person of his position. The cardinal's demand was discussed by Gloucester and the lords in the presence of the King, and finally by command of the King and by the advice and assent of the duke and the rest of the peers present he was told that nobody had accused him of treason, and that nobody, it was believed, could or would make such an accusation ; on the contrary, the King held, considered and declared him to be his true and faithful liege. The cardinal thanked the King for this declaration, and requested that it might be given him in writing under the great seal, but not, he said, because he wished to use the record as a reply to any future charge of treason that might be made, for he was ready always to answer for himself. His request was granted. Orders were given for the entering of the proceedings on the roll of parliament and for the issue of letters under the royal seal to be kept by the cardinal.¹ There is some doubt as to the precise reference of this charge of treason. If the cardinal referred to the issue of the writ of *Præmunire*,

¹ *Rot. Parl.*, iv, 390, 391.

the denial given by Gloucester in the King's name was simply false. Probably the cardinal's statement had reference to an informal, constructive charge of treason. Gloucester or his adherents had talked of the breach of *Præmunire* as practical treason. In that case the denial simply amounted to an explanation that the cardinal's offence was regarded as merely a technical violation of law and not as a conscious disloyalty to his sovereign. Such a concession was something, but not everything. Gloucester was still in possession of the King's favour, and not humiliated as a false accuser. The cardinal's character was cleared, but his position remained precarious.

Beaufort had a second grievance which he now proceeded to state. His plate and jewels which he had sent home in advance, including probably certain of the King's regalia pledged to him for a recent loan, had been seized by the officers of the crown at Sandwich. Gloucester was in some way responsible for the seizure, and apparently had some personal claim upon the jewels or made some such claim. It has been suggested that perhaps they had been formerly pledged to him by the King and never fully redeemed,¹ and that he seized them now to secure the repayment of the balance due to himself. It is nowhere stated that any of the jewels were royal property; but the supposition is a fair inference from the stipulation that the value of the jewels was to be retained by the King in the event of his proving to have "a good and just title" to them. Beaufort

Protest
against the
confisca-
tion of his
jewels.

¹ Vickers, p. 233. Lingard, iv, 71 (ed. 1849) suggests that the jewels may have been seized "under the pretence of a false entry at the custom house as to their description or value." This, however, could only have been the pretext, not the reason for the seizure.

was not under actual sentence, for the writs of *Præmunire* issued by the council in November, 1431, had not yet been put into execution. The jewels, therefore, can scarcely have been confiscated by way of an instalment of the penalties due under that statute. Probably the King's supposed title to the jewels was based upon an assertion that Beaufort had been fully repaid and was not now entitled to retain possession of the pledge. Whatever the facts of the case were, the dispute was settled by a compromise. Parliament agreed to restore the jewels to the cardinal, and he agreed to pay £6,000 into the exchequer on their account. This payment was to be regarded as a loan to the King. If at any time within six years the King could justify the seizure of the jewels, the loan was not to be repaid; otherwise the cardinal was to receive the whole sum at the end of the period. If Gloucester proved to have any just claim on any portion of the value of the jewels, he was to be paid off by the King. The cardinal agreed also to advance a second sum of £6,000 to the King as an ordinary loan, and to surrender certain securities which he held on the score of recent loans made to the King in France to the extent of nearly 13,000 marks. Parliament consented at the same time to repay these two last sums, in all nearly £14,600, out of the first subsidies available. It has been said that Beaufort "ultimately managed to creep out of the engagements that he had made."¹ The statement probably refers

¹ Vickers, p. 233. Lingard, on the other hand (iv, 72 n.), states, on the evidence of the Pell Records, 425, that the King paid the cardinal £8,000 in June, 1434, the estimated value of the jewels. If this payment is distinct, as it seems to be, from the repayment of £6,000 ordered in May, 1434, the only conclusion is that the cardinal had not received his jewels back again in 1432, in spite of the agreement in parliament.

to the fact that the sum of £6,000 paid by the cardinal in consideration of the restitution of the jewels was repaid to him while Bedford was in England in May, 1434, after the expiration of two only of the six years. But the sum was repaid because the cardinal succeeded in obtaining a declaration from the King at the request of the lords that the seizure of the jewels in 1432 was illegal, and he thereupon promptly lent the crown another sum of 10,000 marks.¹

Beaufort had bought his share of this compromise dearly, but he speedily received ample reward for his sacrifice. The commons rallied to his side with a petition to the crown for a statute to secure him against all risk of procedure under the acts of *Præmunire* and *Provisors*, in recognition of "his great and notable services" to the King and to his father before him. The petition was granted, and the cardinal "received full parliamentary absolution."² The language of the petition is interesting. In previous entries on the rolls of parliament in connexion with the vexed question of his position, Beaufort is described simply as cardinal; in this petition he is described as cardinal and Bishop of Winchester, and again as "the said Henry cardinal, by whatever name the said Henry may be named." If the language is deliberate, the only inference is that the question was not merely shelved; the retention of the bishopric was at last formally recognised and sanctioned. In 1440 indeed Gloucester returned to the charge that the cardinal had forfeited his bishopric. "He sued to our holy father the Pope to have a bull declaratory that notwithstanding that he was assumpt to the state of cardinal, that the see was not

Act of
indemnity
for the
Cardinal.

¹ *Proceedings*, iv, 236-239.

² Ramsay, i, 441. For the petition see *Rot. Parl.*, iv, 392.

void, where indeed it stood void by a certain time or that bull was granted, and so he was exempt from his ordinary by the taking on him the state of cardinal ; and the bishopric of the Church of Winchester then standing void, he took it again of the Pope, the not learned not knowing wherein he was fallen in the case of provision, whereby all his good was clearly and lawfully forfeited to you, my right doubted lord (*i.e.*, Henry VI), with more, as the statute declareth, for your advantage.”¹ But whether the commons in 1432 regarded their petition as a pardon for a real offence on the part of the cardinal in 1426, or only as a refusal to reconsider the question of his status, it is certain that Gloucester’s futile outburst in 1440 was the only subsequent protest against the constitutional position of “ the Cardinal of England.”

Grounds of
opposition
to the
retention
of his
bishopric.

It is difficult to estimate the weight to be assigned to the various motives which had lain behind this opposition to the cardinal’s tenure of the bishopric. Gloucester’s attitude was largely determined in the first instance by political rivalry and afterwards by personal enmity. Chichele stood for the constitutional self-government of a national church. Others of the bishops on Gloucester’s side had designs perhaps upon the possible vacancy in the rich see of Winchester. But all parties involved seem to have shared that inconsistency which marked the attitude of English statesmen of that age towards the Papacy, and which is vividly illustrated by the language of Gloucester’s elaborate protest of 1440. He was willing to admit that Henry V had no objection to the cardinalate being held by English clerks without a bishopric in England, but he insisted that the King’s idea was never intended to permit the elevation of a

¹ Stevenson, ii, 442.

suffragan above his metropolitan. He was ready enough to sanction a preferment which gave him what other Christian kings had, "a promoter of his nation" at the court of Rome, who might watch over and work for English interests at a general council or in any matter "that might concern the weal of him and of his realm," but "not to abide in this land as any part of his council." "And therefore," Gloucester proceeded in his appeal to Henry VI, "though it like you to do him (*i.e.*, the cardinal) that worship to set him in your privy council where that you list, yet in your parliaments, where every lord spiritual and temporal have their place, him ought to occupy his place but as bishop," not as cardinal. Englishmen were willing to recognize the papal power at a distance, and to accept or invite its action from Rome in certain matters and within certain limits, varying with the circumstances of the time; but they were reluctant to give its direct representatives as such a footing at home in the Church and realm of England.

Beaufort's own conception of his place and purpose as a papal dignitary is no less difficult to determine. There are but few letters or speeches of his to reveal his view of the relations between his two masters, the Crown and the Papacy. Private ambition may well account for some part of his motive in accepting, perhaps seeking the cardinalate. It was the path to an international reputation, if not to the papal throne. Patriotism may account for more. In an age typified by the Council of Constance with its inextricable blending of political and ecclesiastical interests, a position of honour at the court of Rome might serve a statesman-bishop as a lever to be worked in the cause of his King and his country. Such a position was fraught with personal complications for himself

The
Cardinal's
own views.

and with dangers for both Church and nation ; the complications he was prepared to risk, the dangers he was probably rather inclined to minimise. He did not share Chichele's idea of English ecclesiastical polity, but it is doubtful whether he shared Martin's idea of a Papacy governing to the exclusion of the English episcopate and in defiance of the English monarchy. He had no theoretical solution of the problems of church government, no burning zeal for church reform. He was neither a philosopher nor an enthusiast in the way of churchmanship, but rather an opportunist. Yet his opportunism had its limits. More than one act of self-sacrifice or self-restraint proved that the English statesman was stronger in Henry of Winchester than the Roman prince.

Unfortunate
results
of his
cardinalate.

His acceptance of the cardinalate was, however, a grave misreading of the future. The retention of his see was an evil precedent soon followed. The concession granted in his case as a personal privilege became a common custom. Primate after primate accepted the position of cardinal and special legate ; and as the real inherent authority of the archbishop came to be obscured by the dignity of a derived office, the national church lost more and more of the visible signs of her independence and of the self-government of her provincial synods.¹ Even if the Cardinal of England was partly blind or indifferent to the loss thus involved for the church of his primary allegiance, he must have felt with increasing disappointment the suspicion with which his action was watched by his countrymen. In 1430 a report was heard that the Pope had endeavoured at the instance of the King's enemies to detach Beaufort from the King and his council in France. The report was perhaps true.

¹ Capes, p. 201.

Martin may have tried to influence the cardinal in the interests of France. Beaufort's patriotism was no doubt proof against such a temptation. But the report led to an order forbidding any of the King's subjects to accompany the cardinal if he left the King without special permission.¹ In 1434 when he requested the licence of the privy council to go abroad when and where he liked, and with such money as he wished, on a pilgrimage which it was not safe to make known publicly, he concluded with the plea, "considering that my full purpose is with the grace of God for to die in this land."² His request was granted, but it is not clear whether his vow of pilgrimage was a mere cover for some political design secretly known and approved by the privy council, or whether his concluding plea was intended to remove a suspicion that he contemplated carrying his wealth abroad to spend the rest of his days there, in the hope perhaps of rising even now to the papal throne itself. Three years later he requested permission to go to "the court," *i.e.*, to Rome, to perform "his duty," and pleaded that he had obtained "a patent of rest," *i.e.*, an exemption from further service, and that the King was now old enough to dispense with his attendance. The council refused his request, grounding their refusal plausibly on "the unsurety of the way and the great jeopardy of his person," and on the need of his services at home or abroad in the negotiations for peace with France.³ The very next year the minutes of the privy council contain the blunt resolution "that the King grant no licence to my lord cardinal to go to the general council."⁴ The English

¹ Rymer, x, 472; *Proceedings*, iv, p. xv.

² *Proceedings*, iv, 235 and lxx, lxxi.

³ *Proceedings*, v, 9.

⁴ *Proceedings*, v, 93.

government was certainly resentful of the interference of the Council of Basel in the congress of Arras in 1435; but it is difficult to avoid the conclusion that the cardinal himself was suspected of pursuing his own designs at the expense of his country's interests. The cardinal may be acquitted of this suspicion in the light of history, but the suspicion itself is intelligible enough. It was the natural view for his contemporaries to take of his dual position as an English statesman and a member of the sacred college at Rome, and it was no slight hindrance to the working out of the most unselfish features of his policy for England.

CHAPTER X

THE STRUGGLE FOR FRANCE 1429-1433

THE abandonment of the Bohemian crusade and the loss of his legatine dignity left the Cardinal of England free, though at a great price, to devote himself to the affairs of his own country; but for the last twenty years of his life his attention was divided between two anxieties. There was the wearying alternation of war and diplomacy in France; there was the intermittent conflict at home which owed its gravity to the persistent enmity of Gloucester, and found its points of attack at one time in the ecclesiastical position of the cardinal-bishop, at another in his foreign policy. The attack upon the cardinal's status was practically dropped in 1432, though something of the suspicion aroused by his connexion with the Roman court still lingered after that connexion had been accepted and recognised. It was the cardinal's foreign policy on which the criticism of Gloucester fastened more and more as the cardinal's once precarious position gained in security. In fact, the references made in 1440 to Beaufort's early offences against the precedents of Church and realm were merely part of a general attack upon the statesman who had dared to make sacrifices for the sake of peace. His preferments, his loans, his home administration, everything that could be turned into fuel,—all were flung into what was meant for a final conflagration to consume the cardinal and all his works.

The
Cardinal's
foreign
policy.

The history of English policy in France after 1430 falls into two chapters. The first was an anxious bid for victory, which began with the coronation of the child-King and ended with the conference at Arras and the death of Bedford in 1435. The second was a reluctant passing from defeat to surrender, which ended in the marriage of the King to Margaret of Anjou in 1445. While there seemed to be still a prospect of success, Beaufort spared neither himself nor his countrymen in the effort to regain the hold of England upon France. He contributed loan after loan ; he gave both diplomatic and military support to Bedford ; he strove by concession and conciliation to retain the indispensable support of England's only ally, the Duke of Burgundy. When in one month Burgundy went over to the side of France and the death of Bedford robbed England of her greatest leader, Beaufort was wise enough to read the handwriting on the wall, though none too soon, and strong enough to revise his country's policy and to work for peace. The final surrender was made by other hands, and went further than the author of the policy had contemplated. But the cardinal deserves full credit for the wisdom and courage of the first steps towards the abandonment of an impossible task.

Beaufort
and
Burgundy.

In October, 1429, the regent and his ally left Paris almost ungoverned and unprotected. Bedford retired to Rouen to retain or recover what he could of Normandy. Burgundy went off to Flanders to marry his third wife, Isabella of Portugal, who was to play such a prominent part in the negotiations between England and France. The daughter of John the First of Portugal and Philippa of Lancaster, she was the half-niece of the cardinal and the cousin of Bedford, and she had lately stayed in England on her way from

Portugal. Burgundy himself had been on terms of truce with France since August, and was pledged to a conference at Auxerre in April, 1430. In November his envoys and those of the Duke of Savoy met the French representatives to prepare for the conference; and the French king promised to take part in the conference on condition that the English would bring over the prisoners of Agincourt and provide facilities for communication between the exiled nobles and their king. In December the duke's agent, Lannoy, was in England laying before the council his master's advice. They must take part in the conference, if they wanted to show their sincerity in the cause of peace and to retain the support of their French subjects. The one thing needful was to secure a friendly cardinal as mediator. At the same time they must prepare for vigorous war. The King must come in person and in force before the conference met. The French believed themselves to be the masters of the situation, and peace was improbable; the duke must therefore be given territory, authority, troops, and pay to induce and enable him to clear the neighbourhood of Paris in preparation for Henry's arrival. The support of Savoy, Richemont, and Brittany must be bought, and the friendship of neighbouring princes secured. Finally, "the Cardinal of England" must be sent at once to direct affairs in France and to consult the Duke in Flanders on his way.¹

The English government followed these suggestions on nearly every point. On December 15th the cardinal was granted £1,000 for his mission to Burgundy, though his salary was to be reduced if he returned within three months, except at the King's

¹ Beaucourt, ii, 415, 416.

command. His passage was paid on February 8th, and before the end of the month he had concluded an agreement with Burgundy. The duke was to receive Champagne and Brie and to be repaid the cost of their conquest. Meanwhile on December 20th letters had been addressed to the King's French subjects announcing that he was coming to their help in such force that he trusted to see them soon "living, labouring and trading in good peace and tranquillity."¹ In significant contrast to these brave promises stands the very next document in the records of the council, dated January 5th, 1430. It was a commission to Dr. Nicholas Billeston, evidently the Nicholas Bildeston who as the chancellor of the Cardinal of England in 1427 had conveyed to the Pope the tidings of the crusaders' rout at Tachau. Billeston was to go to Rome and tell the Pope that the King had heard that "certain princes" had decided to ask his holiness to send certain cardinals into France as negotiators or mediators in the cause of peace. He was to request the Pope in that case to send mediators who had not already shown themselves favourable to "the King's adversary of France"; otherwise the negotiations were predestined to failure. In particular he was to express the King's desire that the Cardinal of England, who for more than thirty years had taken part in the councils of the King and diligently done the King's business, and therefore knew the state of the King and of his realms, might attend the conferences held in France or elsewhere "for the pacification of the said wars." If his holiness wanted to know in what capacity the King desired the cardinal to attend, as a mediator or as a partisan, Billeston was to answer, "in whichever

The
Cardinal
recom-
mended to
the Pope as
a mediator.

¹ *Proceedings*, iv, 10.

capacity his holiness should please." If the cardinal's relation to the King or his place of birth or other reasonable cause prevented his being regarded as "an indifferent person" or "a suitable mediator," permission was to be sought for the cardinal to attend at least as an advocate of the King. The whole commission betrays the anxiety of the council as to the composition of the peace conference or to the conduct of the negotiations. Gloucester and Beaufort both signed the envoy's instructions. The envoy, however, was changed. Robert Fitzhugh, the King's proctor at Rome, was after all entrusted with this delicate mission.¹ It is an interesting query whether Billeston was dropped because his name recalled previous errands to Rome in 1427 and after in the service of the cardinal-legate. The Pope had indeed "other reasonable cause" to refuse Beaufort as a mediator. Only six months had elapsed since the diversion of the crusaders to France. The council must have felt that their request was doomed to failure; and the cardinal must have realised more deeply than ever the cost of his patriotic action in July, 1429. It had cut short his own ambition then; now it was all too likely to limit his opportunities of serving his country. The venture was made none the less. An order was signed on January 18th for the payment of two sums of £2,400 and £4,833 owed by the council "as well to the lord Pope as to the lord cardinal" for the troops retained for the defence of the realm and sent into France in the company of the cardinal.² Perhaps this order was intended as a tardy restitution and a tentative propitiation.

¹ *Proceedings*, iv, 12-15.

² *Ibid.*, 16.

Failure of
the confer-
ences.

The conference, however, itself was but a pretence on either side to gain time. The Duke of Savoy was reluctant to abandon the hope of a meeting, but in March, 1430, first Burgundy and then his chief vassal, John of Luxemburg, withdrew, and finally on March 27th Savoy wrote to the King of France that the Burgundian chancellor had come to tell him that the Cardinal of England and the other English envoys had asked for a postponement of the conference from April 1st to June 1st. The King of France consented to the postponement, remarking that he had seen no sign of peaceful intentions on the part of the English, for they had taken no steps to bring over the captive French nobles upon whose arrival the negotiations in part depended. The Duke of Savoy soon saw that the French king was not a whit less determined to abandon the conference; and on May 29th his last hope was destroyed by a long letter from his nephew of Burgundy at Compiègne enclosing a reply in the negative from the Cardinal of England, intimating that he himself shared the Englishmen's doubts of the sincerity of the French, and concluding with the triumphant announcement that on May 23rd he had captured "her whom they call the Maid."¹ Burgundy's own desire for a peaceful settlement had vanished on the arrival of men and means from his English allies.

Precautions
against
dissensions
on the
Council.

The cardinal had returned to England at the end of March or early in April, 1430, bringing a favourable report of the loyalty of their Burgundian adherents. He had made good use of his time. On May 13th an order was signed for the repayment of £500 advanced by the cardinal to Sir John of Luxemburg, whose service he had secured for the King while he was on

¹ Beaucourt, ii, 419 foll.

his mission to Burgundy.¹ On his return he found fresh work waiting for him. He was requested to cross the Channel again almost at once in the retinue of the young King. He was reluctant to go back to France so soon, and consented only on conditions of his own. On April 16th, so runs the memorandum in the acts of the privy council, "at Canterbury, at the great and busy prayer and instance of my lord of Gloucester and the remnant of the lords of the King's council, my lord the cardinal granted to go over into France with the King and to abide there with him and to do the good that he may, if so be that he find at his thither coming that the lords and captains and other that go at this time also over with the King will be of good rule and governance and eschew division and taking parties one against another by dissension or by their own authority, and else he protested to come home and report the cause of his departing from thence to the King's council here." Various articles of agreement were accordingly drawn up and accepted by the council. Quarrels "betwixt lord and lord or party and party" were to be settled by the rest of the lords. Decisions of the lords of the council in France were to hold good as the acts of the whole council, except in important matters requiring the consultation of all the councillors in England and France "personally or by writing." Bedford's regency of France was to cease on the King's arrival. Councillors and chief officers were not to be dismissed nor appointed except by consent of the whole council. Promotions and recommendations of individuals were to have the sanction of both parts of the council. This insistence upon mutual reference, doubtless a necessary

¹ *Proceedings*, iv, 33.

safeguard, especially against Gloucester's proceedings at home, was yet a hindrance to prompt and efficient administration. But the precautions taken against dissension and insubordination, a sad confession indeed in the face of a great undertaking, show that the cardinal had a shrewd conception of England's real danger. It is interesting to find Gloucester assenting to Beaufort for once. The Duke of Norfolk and the Earls of Huntingdon and Warwick then and there "at the instance of my lord the cardinal made assurance in the hands of my lord of Gloucester" that they would submit any dissension or quarrel to the council.¹

Beaufort
with the
King in
France.

The English government had done its best to respond to Burgundy's appeal for vigorous action. The forces that crossed with the King numbered 1,200 lances and 3,500 bows, and, dissensions apart, there was a gallant array of commanders, including two dukes, six earls and eight barons. Gloucester, who was left at home with a strictly defined commission as Lieutenant of England, had few but bishops to counsel or control his action. The expedition crossed the Channel on St. George's Day, April 23rd; and king, cardinal and lords went straight to mass together at St. Nicholas' Church at Calais immediately after their landing "at ten of the bell before noon." The troops then moved out and forward at once in various directions to begin their task of fighting the way to Paris clear for the King. It was no easy task; three months elapsed before Henry could safely venture southwards. The cardinal seems to have remained in attendance upon the King at Calais. He was certainly there at the end of June, for on June 22nd he received instructions from the council to expel thence

¹ *Proceedings*, iv, 35-38.

certain Englishmen who had been guilty of serious misbehaviour.¹ Meanwhile Bedford and his commanders were slowly but surely regaining a firm hold upon Normandy and Paris, and on July 29th Henry VI made his state entry into Rouen, where he remained for more than a year. In August the English resumed possession of Paris, and in January, 1431, Bedford once more rode into the capital.

Burgundy himself had met with little but failure in his part of the campaign of 1430. His own dominions were attacked by the French ; he had to retire to take possession of Brabant, which had fallen to him on the death of its duke ; and the Anglo-Burgundian force which he left to besiege Compiègne was at last compelled to retreat. On November 4th he wrote to Henry VI a letter of mingled complaint and apology.² He had done his best, he said, to fulfil his agreement with his uncle the cardinal, but he had not received payment for his own artillery or for the English troops in his service. Even his own territories were now endangered and his revenues stopped by the hostility of the Emperor. At the same time he instructed his envoys to press for payment, and to warn the English council of the disasters that must befall the joint cause in default of more vigorous financial support. If there were difficulties in the way of payment, " the said envoys," so ran the duke's instruction, " might secretly and discreetly open " the fact that the cardinal had on previous occasions suggested that the Duke of Bourbon might be surrendered in payment of the King's debt ; the Duke of Burgundy would gladly accept this settlement in lieu of money. The envoys were to state also that the

Discontent
of the
Duke of
Burgundy.

¹ Stevenson, ii, 147.

² Stevenson, ii, 156-164.

Peace
negotia-
tions
sanctioned
by
Parliament.

Pope had appointed two cardinals to come into France and negotiate for peace ; and it had been arranged that the expenses of one should be paid by the King and the expenses of the other by " the Dauphin and the adverse party." The duke would be glad of the King's advice ; the Pope, it was said, would sanction the levying of half a tenth for the payment of the cardinal-mediator, but the King must advance ready money before the cardinal could come.¹ The English council at Rouen was in no hurry to reply. Finance was an increasing difficulty ; diplomacy was once more in the air. Parliament had been summoned to meet early in January, 1431, and on December 20th Beaufort went to England to attend the session, probably also to lay Burgundy's complaints and requests before the councillors at home. The commons responded with a great effort ; besides the ordinary subsidies and duties a new land-tax was instituted, and securities were authorised for loans to the amount of £50,000. But the monetary burdens of the nation were reaching the point of exhaustion. The council sent £14,000 for the war in France during the winter. The payments, too, for Beaufort's services were a heavy item. His salary was £1,000 a quarter. Gloucester was " still more rapacious " ; in November, 1431, his salary, reduced to 2,000 marks in 1429, was raised to 6,000. Gloucester, moreover, was no lender to the state. Beaufort had advanced £2,800 in Normandy in November, 1430, and over £600 in February ; the sums were, it is true, repaid in March, 1431, but they had served their purpose in meeting the demands of the hour for the payment of starved troops. Parliament, however, conscious of the growing burden of debt, was not unwilling to pave

¹ Stevenson, ii, 164-181.

the way for the discussion of peace. Pope Martin, while urging Burgundy privately to make peace even if it meant abandoning his English allies, had written to Beaufort at Calais to exercise his influence with the King in the direction of peace, and the cardinal had found Henry inclined to accept the suggestion,—at least so said the council in 1433.¹ It was probably at this juncture that the council at Westminster on November 7th forbade the King's lieges to accompany the cardinal away from the King without special leave.² The council was perhaps alarmed at the possibility of Beaufort's being captured by papal influence. In November, 1430, Martin nominated Nicholas Albergati, Cardinal of St. Cross, to undertake the work of pacificator, and in December wrote to ask Henry VI to welcome his legate. Parliament took the opportunity to give its preliminary consent to the idea. By the Treaty of Troyes it was stipulated that no peace should be made with the Dauphin without the consent of the three estates of both realms. The lords and commons now authorised Bedford, Gloucester, and Beaufort to treat for peace on such conditions as they might think "convenable and expedient." Special reference was made to the reported mission of the Cardinal of St. Cross, and also to the pending negotiations with Spain and Scotland for a similar purpose. It was admitted that it would be wrong for "a Christian prince to refuse peace offered with means reasonable"; but this pious sentiment was outweighed in sincerity by the second ground which parliament assigned for its action,— "also considering the burden of the war and how

¹ Stevenson, ii, 250, 251.

² Rymer, x, 472.

Reply
of the
Council to
Burgundy.

grievous and heavy it is to this land, and how behoveful therefore the peace were to it.”¹

This resolution of parliament set the Cardinal of England free to act as circumstances might require, and he returned to France to see the end of the trial of the Maid.² On May 28th the English council at Rouen replied at last to the Duke of Burgundy, doubtless in the light of the cardinal's report from home. The King, they said, regretted the sufferings and losses of the duke's territories as much as if they had been his own, and would do his best to help the duke as he had done in the past ; they hinted by the way that things had been managed better there two years ago by my Lord of Salisbury. They promised to place 600 lances and 1,200 bows at the duke's service for his campaign in Picardy during July and August. They would inspect the agreements made with the cardinal at Bruges, Ghent, and Calais with reference to the payment of the Burgundian artillery, and would be glad to discuss the matter with the duke's agents. With regard to the hostility of the Emperor, his envoys were now with the King, who would consult the duke before making any arrangement with the Emperor. With regard to the release of the Duke of Bourbon, the cardinal, who had lately returned from England, had told the council at Rouen that he was not aware of any decision having been made in England. The matter had indeed been discussed, but the Duke of Bourbon had declined to entertain the proposals made, and there the question had remained. They would enquire whether it had

¹ *Rot. Parl.*, iv, 371.

² On April 18th he was given a licence to ship 800 sacks of wool from any English port to any foreign port, subject to any custom or subsidy such as other native merchants were liable to pay ; *Cal. Patent Rolls*, Henr. vi, 1429-1436, p. 118.

proceeded any further since the cardinal left England, and would in that case inform the duke.¹ It was not a satisfactory reply from the duke's point of view. The duke's position, moreover, was becoming precarious, and self-interest swung him steadily to the side of France. The diplomacy of Cardinal Albergati had worked towards the same end. Martin's death in February, 1431, had only delayed Albergati's mission; the new Pope, Eugenius IV, confirmed his appointment as mediator, and wrote to the duke to co-operate with his efforts, and Albergati followed up his visits to Charles VII and Henry VI by a visit to Burgundy, who was glad to accept as an immediate relief to himself the truce which the cardinal urged as an instalment of a wider settlement.² The duke reserved the right to serve Bedford with not more than 500 lances; but his real attitude towards the English cause at this moment was revealed by his absence from the coronation of the young King at Paris on December 16th.

Truce
between
Burgundy
and France.

The year 1431 was marked by a heartless crime and a hollow ceremony, both intended to further the English cause in France, and both doomed to failure. Jeanne d'Arc was burned at Rouen on May 30th; Henry VI was crowned King of France in the Church of Notre Dame on December 16th. Beaufort took part in both scenes. Nothing is known of his share in the earlier stages of the Maid's fate. It was Bedford apparently who had made up his mind that the Maid must die; four years later he described her as

Trial and
execution
of the Maid.

¹ Stevenson, ii, 188-193. The bearer took with him also a short private letter to the duke from the cardinal which contained, however, nothing beyond kind words and a reference to the bearer for further information; ii, 194, 195.

² Beaucourt, ii, 438-442.

“a disciple and limb of the Fiend that used false enchantments and sorcery.”¹ The agents of the crime were her own countrymen, but their action was at least sanctioned by the English regent of France, and the cardinal at least assented. The Maid was captured on May 24th by the troops of John of Luxemburg, a vassal of Burgundy; and the duke, ignoring the application of the University of Paris, which claimed her as a heretic, sold her in July to the English council for 10,000 francs, paid out of a subsidy which Bedford levied from the parliament of Normandy. The agent in this bargain was Pierre Cauchon, Bishop of Beauvais, “a creature of the Anglo-Burgundian party,” who claimed the right to try the Maid on the ground that she had been captured within his diocese. At the close of the year she was conveyed by the English to Rouen; the Chapter of Rouen gave the Bishop of Beauvais a faculty to exercise his jurisdiction in their city; and he proceeded to hold his court in conjunction with the local vicar of the Inquisition and a number of doctors of the University of Paris. The Maid was cross-examined day after day through February and March on her visions of the saints and on the “voices” which had guided and encouraged her in the field and in her cell; and her simple assertion of her direct mission from heaven was cunningly pressed into apparent defiance of the authority of the Church. In April her answers were submitted to divines who pronounced her visions mere delusions or emanations of the devil. She was threatened with torture; her honour was endangered by the insults of her gaolers, until the Duchess of Bedford intervened to protect her; at last she was practically condemned to death

¹ *Proceedings*, iv, 223.

and then privately and treacherously urged to recant in order to secure her relapse. On May 24th she was brought before her judges again in the churchyard of St. Ouen, with the executioner's cart standing by the side of her platform. On this occasion her judges were accompanied by Cardinal Beaufort, who had been absent in England from December to May, and Bishop Alnwick of Norwich, "the only Englishmen who appeared in this black business."¹ The preacher ended his sermon with a last vain demand for her submission, which Jeanne answered by an appeal to the Pope or to any tribunal but her present judges; and Bishop Cauchon began to recite her formal condemnation, when the Maid broke down and consented to sign a paper in which she confessed that she had sinned in taking up arms and in wearing man's attire and that her visions were delusions. She was then sentenced to imprisonment and perpetual penance. Four days later she was declared to have relapsed; she had resumed male garments for protection's sake, and she had heard the voices of St. Katharine and St. Margaret, reproaching her for denying her divine mission. On May 29th the court met again in haste to condemn the Maid as a relapsed heretic—the deliberate end and aim of their whole procedure—and next morning she was burned in the old market-place of Rouen, looking piteously upon a crucifix brought at her request from a neighbouring church, and calling upon Christ and the saints to help her at the last.

Beaufort's share in the last stages of this dark tragedy is placed beyond doubt by the evidence given during the "process of rehabilitation" in 1455 by

The
Cardinal's
share in
the trial.

¹ Oman, p. 315.

which the reputation of the Maid was vindicated.¹ It was Warwick and Beaufort who paid the expenses of the trial of 1431 out of English revenues in France. It was they who summoned physicians and instructed them to attend to the Maid's health; from the statement of one of the physicians it is clear that it was Warwick who frankly avowed that she had cost the King too dear to be allowed to die a natural death, but Beaufort's silence seems to imply his assent to the avowal. It was to the Cardinal of England that the Prior of Longueville was reported as a partisan of the Maid and denied the report to save his life. It was the cardinal who kept in his own hands or his secretary's one of the three keys of Jeanne's prison-chamber in the castle of Rouen, the other two remaining with the inquisitor and the prosecutor, "for the English feared greatly that she would escape them." At "the sermon of St. Ouen" an English clerk, bachelor in theology, and keeper of the private seal of the Cardinal of England, interrupted the Bishop of Beauvais, who was urging the Maid to save her life by recanting, and accused him of partiality in her favour. The bishop denied the charge and threw down his papers in a temper, but the cardinal reproved his chaplain and bade him hold his tongue. When Jeanne yielded and consented to recant her errors, the bishop turned to the cardinal and asked him what he ought to do. The cardinal replied that he must admit the Maid to penance, and the bishop laid aside the sentence which he had begun to read, and gave the Maid a form of abjuration to recite. The cardinal might well silence his

¹ Quicherat, *Procès*, i, 443; ii, 6, 348; iii, 51, 55, 184, 185, 243, 355; Murray, *Jeanne D'Arc*, 106, 127, 161, 187, 190, 198, 199, 208, 209, 254, 259.

chaplain ; the pressure put upon the Maid to recant was no mercy but a means to a more cruel end. When Warwick complained to the bishop and the doctors that the King had lost his prisoner, one of them replied that they would soon have her again. They were working for a relapse which would put the Maid absolutely in their power. Ysambard, a Dominican friar of Rouen and an assessor of the judges of 1431, said in 1449 that the Cardinal of England and many other Englishmen were moved to compassion and to tears by the contrition and penitence of Jeanne's last hour, and by her "speaking words so pitiful, devout, and catholic." It was in any case but a passing emotion ; the Archdeacon of Rouen stated afterwards that it was the cardinal who ordered the ashes of the Maid to be collected and flung into the Seine, doubtless to destroy the popular belief in her divine mission and power. It is an ugly page in English history. The only thing that can be said for the Englishmen concerned is that even their guilt was less than the guilt of the French, of the King who could have saved his saviour by the mere threat of retaliation upon such a prisoner as Lord Talbot, of the clergy who resented the unauthorised inspiration of "the Maid of God," of the nobles who hated the leadership of a poor and pious girl. The only thing that can be said for Beaufort is that even a Bedford could initiate or sanction the crime which he could help to commit. The whole story is a lurid revelation of the ghastly contrasts within the character of that age.

The execution was not even a political success. It was not the death of the Maid that "checked for a time the uprising of French nationality,"¹ but the

Coronation
of Henry VI
in Paris.

¹ Ramsay, i, 431.

weakness of the French King and still more the supremacy of adventurers at his court, the same causes which had robbed the Maid of success again and again. It is doubtful even whether it was her execution which enabled the English to crown Henry VI as King of France. It certainly did not enable them to crown him in the time-honoured place of sacring, the Cathedral of Rheims. The English council had contemplated his coronation at Rheims, but had left the course of the King's campaign to "the discretion of my Lord of Bedford, the cardinal and others of his blood and of his council," suggesting merely that it might be expedient to visit Paris and strengthen its loyalty on the way to Rheims.¹ In the exercise of this discretion, Bedford and Beaufort decided to hold the coronation at Paris. It was more important that the King should be crowned without further delay than that he should be crowned in the traditional place. The King entered the capital in state on December 2nd, escorted by the cardinal, the Bishops of Paris, Thérouanne (Louis of Luxemburg, the English Chancellor of France), Noyon, Bath, and Norwich, the Dukes of Bedford and York, and the Earls of Warwick, Salisbury, and Suffolk. The civic authorities met their English King in a gorgeous procession, and the city was ablaze with pageantry; but the French nobility of the Burgundian party was practically unrepresented. The coronation itself took place in the Church of Notre Dame on Sunday, December 16th. It was the cardinal who "hallowed" the young King and sang the mass, to the great annoyance of the Bishop of Paris, who was "not content that the cardinal should do such a high

¹ *Proceedings*, iv, 92, 97.

ceremony in his church and jurisdiction.”¹ It was indeed a needless offence to the Church of the realm, and the absence of many of the local clergy gave the coronation the unfortunate appearance of “a purely English affair.”² The ritual, too, was “more after the English than the French use”; and the flagon in which the King made his offering of wine was seized by his officers and only restored to the canons of the cathedral church, whose perquisite it was, after a costly suit before the King and his council. The banquet which followed the coronation was a fiasco; the premature irruption of the crowd left the great men of the city and the university to struggle for their places with common folk, and the people who had lent the plate had reclaimed it for fear of thieves. A later writer adds a far more serious disaster to the mishaps of the day. Hall relates that Beaufort, brooking no equal, insisted on Bedford’s dropping the title of regent during the King’s presence in France, and that Bedford “took such a secret displeasure with this doing that he never after favoured the cardinal, but repugned and disdained at all things that he did or devised,” and so “through this unhappy division the glory of England began fast to decay and fade away in France.”³ Hall’s judgment is seriously at fault there. The failure of the English cause in France lay ultimately in its own unrighteousness. Neither is his account of the facts correct. Bedford and Beaufort continued to labour together in that cause. As a matter of fact the suspension of the dignity of regent was one of the provisions of the agreement

¹ Hall, p. 161.

² Oman, p. 317; cp. Ramsay, i, 432. For a full account of the ceremony, see *Journal d'un Bourgeois de Paris*, pp. 274-278; Monstrelet, p. 631 foll.

³ Hall, p. 162.

made by the privy council in April, 1430, before the King left England.¹ It is true that those provisions represented largely the judgment of Beaufort, who made their acceptance the condition of his consenting to go abroad with the King, and it was probably at his suggestion that they were read over and confirmed by the council in England on May 1st, 1431, just before he went abroad again to the King. The fact remains, however, that if he did insist that "the authority of the substitute was clearly derogate," as Hall says, he was not merely expressing a strictly correct opinion of his own, but enforcing a resolution of the council at home which had the assent of Gloucester.

Less than a fortnight after his coronation the young King left Paris for Rouen and Calais, leaving discontent behind him. The University of Paris had been rewarded for its zeal in the cause of the Maid's trial by a remission of taxation ; but the city had no remission or amnesty or largess to mark its English King's coronation. In February the King was back in England. Bedford, disappointed by the failure of the King's visit to rally his French subjects, turned to face a new year which proved to be his worst in France. Rouen was just saved ; Chartres was lost ; Lagny was besieged in vain ; and in November the plague robbed him of his wife, Anne of Burgundy, who had spent herself in the service of the famine-stricken poor of Paris, and whose death now severed the one personal link that bound the two dukes together.

The record of the year 1432 was no less disappointing in the field of diplomacy, if indeed the English hoped or cared to make any actual progress with negotiations in which they were as disinclined as the

¹ *Proceedings*, iv, 37.

French to make any real concession. The cardinal seems to have taken no direct part in these negotiations. He had remained behind in France when the King returned to England, and when he did come back in time to make his defence against Gloucester in the parliament of May, 1432, he stated that when the news of his impeachment for treason reached him in Flanders he was on his way to Rome by special permission of the King and in answer to repeated instructions from the Pope. It is possible that these instructions had reference to the negotiations which Cardinal Albergati was conducting. In that case Beaufort's visit to Flanders was perhaps intended to make sure of the correctness of the Duke of Burgundy's attitude ; and his summons to Rome was perhaps an invitation to discuss the French situation with the Pope. It is more probable, however, that the papal instructions referred to the general council just opened at Basel in December, 1431. Beaufort as an English bishop and statesman and a cardinal of Rome was perhaps to be enlisted in support of the Pope's attempt to control the council. Whatever was the purpose of his journey towards Rome, it was prevented by his return to England to face the danger which threatened him there, and there he remained at least until the autumn. He was given permission in November, 1432, to attend the general council. Meanwhile many proposals were made but few steps taken towards the holding of the expected conference in France. Cardinal Albergati did his best by correspondence and by interviews with Bedford, Burgundy and the French court. Meetings of envoys took place in November, 1432, near Auxerre, and in March, 1433, near Melun ;¹ an English embassy had come

¹ Beaucourt, ii, 442-453.

over between the two meetings but had apparently gone no further than to consult or instruct Bedford. At last the Cardinal of St. Cross persuaded Charles VII to accept the English proposal of a conference of all parties at Calais, including the French prisoners from England, and to offer a truce for four months. The captive Dukes of Orleans and Bourbon were waiting meanwhile anxiously at Dover, and Gloucester spent a month waiting at Calais (April 22nd–May 23rd) in company with Bedford and Beaufort and the chancellors and councillors of the two English realms. They waited in vain ; the French envoys never came.¹ When the Cardinal of St. Cross held a new conference at Corbeil in July, the English Chancellor of France (Louis of Luxemburg) refused to sign the agreement brought by the French. He gave no reason, but one obvious reason was that the French had simply played with the English offer of a conference at Calais. Another reason was given in a later despatch from the English council to Burgundy ; a short truce would enable the French to revictual their garrisons, while it would not suffice for any adequate negotiations for peace. The cardinal recognised that his mission was hopeless and went off bitterly disappointed to Basel. In August the Council of Basel itself took up the task of negotiation.

The
Cardinal's
efforts to
reconcile
Bedford
and
Burgundy.

Meanwhile the relations between Burgundy and England had been seriously strained. The duke's absence from the coronation at Paris in December, 1431, had given great offence. The Cardinal of England, realising and perhaps sharing this resentment at the time, took an early opportunity to strengthen the bond of personal association between the houses of Lancaster and Burgundy. In April,

¹ *Proceedings*, iv, 257 ; Stevenson, ii, 254, 255.

1432, the duke's second wife, Isabella of Portugal, the cardinal's niece, gave birth to her first-born son at Ghent, the very city that gave her English grandfather his surname of Gaunt ; and the cardinal stood at the font as one of the sponsors for the child.¹ The strongest personal link, however, between Burgundy and England was the Duchess of Bedford. It was a great misfortune for England to be deprived of her mediating influence ; it was a fatal mistake of Bedford to fill her place as he did. In April, 1433, five months after her death, he married a handsome girl of seventeen, Jacqueline or Jacquette, the daughter of Peter of Luxemburg, Count of St. Pol, and niece of John of Luxemburg, the chief commander of the Burgundian army. It was her other uncle, Louis of Luxemburg, Bishop of Thérouanne, the English Chancellor of France, who had taken advantage of Bedford's passing fancy to press this match ; and doubtless Bedford hushed his own sense of disloyalty to the first wife of his heart by flattering himself that he had gained the adhesion of a great Burgundian house. The gain, however, was far outweighed by the serious offence given to the Duke of Burgundy. His sister's memory was dishonoured by such a speedy remarriage ; his feudal dignity was violated by the neglect to ask his consent. If Bedford was blind to the danger, Beaufort was not. The cardinal realised far more vividly than Bedford how completely England depended now upon the assistance of Burgundy, whether in securing satisfactory terms of negotiation or in retaining or regaining hold of conquests in France. Accordingly he did his utmost to reconcile the two men. In this task he had the unwonted co-operation of his rival Gloucester,

¹ Monstrelet, *Engl. Trans.*, 1810, vii, 106.

who had come over to Calais on April 23rd to meet the expected envoys of the French court. Beaufort yielded to the joint request of Bedford and Gloucester, and lent a further sum of 5,000 marks to the King. Gloucester put in writing a solemn statement of his own readiness to submit to the arbitration of Beaufort and Bedford all matters of dispute still unsettled between himself and the Duke of Burgundy. This declaration marked perhaps a momentary reconciliation of all three Englishmen between themselves ; but it was perhaps intended at this juncture to conciliate Burgundy.¹ In that case it was indeed " a strange turning of the tables " that Humphrey of Gloucester, who had married a Jacqueline of Hainault in defiance of Burgundy, should be now propitiating Burgundy's wrath against the reckless marriage of John of Bedford with a Jacqueline of Luxemburg. When Gloucester went home in May, the cardinal took a further step. He induced the two estranged allies to consent to meet at St. Omer. They were to confer together on " several public matters," *i.e.*, questions of war or peace with France, and to consider " certain angry expressions used and reported on both sides," *i.e.*, between themselves. The time and place of meeting had been all arranged to avoid the question of waiting for one another ; but Bedford insisted on waiting at his lodgings for a formal visit from Burgundy, and insisted in vain. The lords of their retinues tried in vain to mediate between the two. At last the cardinal called on the duke, and drawing him aside asked him in a friendly way why he could not pay a complimentary visit to a royal prince who

¹ Vickers, p. 236 ; Stevenson (ii, 417, 418) dated the declaration 1428, but Vickers seems right in placing it here in 1433.

had taken the trouble to come to meet him in his own town. The duke's only answer was that he was prepared to meet Bedford at the place appointed. The cardinal after a last appeal to the duke returned to his nephew ; and the two dukes went their ways "more discontented with each other than before."¹ The cardinal was baffled and distressed. He returned with Bedford to Calais, and did his best there to minimise the mischief by giving audience several times to a Burgundian envoy who had just returned from England.

¹ Monstrelet, *Engl. Tr.*, vii, 116, 117.

CHAPTER XI

THE GOVERNMENT OF ENGLAND 1433-1434

**Bedford's
return to
England.**

AT the end of June, 1433, the main scene of action was transferred to England. The war, indeed, was still in vigorous progress. Willoughby, Huntingdon, Arundel, and Talbot were holding their own, and Burgundy had been driven in spite of his truce into one of his most brilliant campaigns. But the centre of gravity both in English politics and in Burgundian diplomacy had shifted to London. Gloucester had returned from Calais to England in May to summon parliament; Bedford and his new duchess entered London on the last week in June; and when parliament met on July 8th the three virtual rulers of England, Bedford, Gloucester, and Beaufort, were all present at Westminster, not unconscious that a crisis was impending. Bedford's purpose in returning to England was at least twofold; he desired at once to vindicate the record of his own action in France and to urge the needs of the war. Possibly there was a third reason; if he was aware of the intended mission of the Burgundian envoys who received their credentials at Arras on June 15th, it was natural under the circumstances of his recent quarrel with Burgundy that he should wish to be at the English court at the time of their arrival. The cardinal was almost certainly aware of their mission, for after the two dukes had parted at St. Omer without meeting, he had several interviews at Calais with another

Burgundian envoy who had paid a preparatory visit to England in the spring.

In fact, though Philip of Burgundy and John of Bedford had quarrelled, they could not afford to fight, and Burgundy now sent Hugh of Lannoy, his ablest agent, to sound English feeling and to renew his relations with the English government, but also to feel the pulse of the French prisoners whose mediation promised to be the next line of negotiation with France. The story of Lannoy's mission is told in the three letters which he and his companion despatched to their master from Lille on July 18th.¹ On their arrival in London they found the English generally ill-affected, and met with a harsh reception ; but afterwards they came to the conclusion that " things had softened down considerably." Their master's chief fear was groundless ; the English were not contemplating a separate peace with France ; certain persons were indeed pressing the idea of a marriage between the King and a daughter of " the Dauphin," but such an alliance would only come as part of a general peace. Such was the gist of their preface. In the first of the three documents which followed they described their reception in detail. The Earl of Warwick received them graciously, though " somewhat more gravely " than he had done in France. Very early next morning they called upon the Cardinal of England before he went to mass. He, too, gave them a gracious reception, asked after the duke, and promised to do what he could for their success and their lord's pleasure ; " but truly," they said, " we did find him somewhat stranger than before this we have been accustomed to do." They found the King and his uncles and lords at

Burgundian
embassy in
London.

¹ Stevenson, ii, 218-248.

Guildford, and were invited to lay their letters before the King in council next week. At the council they were compelled to state their message in writing, and were told to communicate the details of their master's proposals privately to the cardinal, the Archbishop of York, and the Earl of Warwick ; and next day at the cardinal's house they unfolded their plans for the securing of the necessary support of Brittany and Richemont and Savoy and other lords of France and neighbouring countries. On July 7th the council gave them a written answer to forward to Burgundy, and referred them to the cardinal for an answer to the proposals made at his house. The cardinal's answer was that the King wished the duke to proceed with his negotiations with Savoy, Brittany, and Richemont ; the King could make no offer of territory or money to these lords until parliament had met, but the cardinal thought it certain that the King would then send " a notable embassy " to the duke to deal with this and other questions.

The second letter described their interview with the captive Duke of Orleans at the house of his custodian, the Earl of Suffolk. Orleans protested that he had offered his services to the English government as a mediator ; but he was like a sword in its sheath, useless until it was drawn. He could do nothing unless he could confer with his friends in France ; he was sure some of them would work for a general peace on his lines. The Earl of Suffolk told the duke that the King would gladly use him in the cause of peace. None the less the envoys saw that Suffolk and the English generally resented their conference with the duke.

The third letter contained notes of various observations upon the state of opinion in England. Suffolk

told them that peace was in sight ; the King had given safe-conducts for envoys from France to the Duke of Orleans. They had heard that the Duke of Orleans, if he failed to induce the Dauphin to make peace, would find a way out of his captivity somehow ; if he could only consult Burgundy or Brittany, the thing could be done. The Regent of France, Bedford, had been very kind. He had found them waiting at Calais, and provided them with a ship. He was reported to have spoken strongly on behalf of the Duke of Burgundy at the council. He had told them on their farewell visit how much he regretted the duke's ill opinion of him ; the duke was one of the princes whom he loved best ; their attitude towards each other was harmful to the King's and to the public good ; and he intended to do his utmost for the King and the duke, and looked forward to a renewal of their friendship. The cardinal, when they went to take their leave, assured them that they could tell his good nephew the duke that when parliament rose (which it would do " either on peace or on disturbance or to make more vigorous war than ever before "), the King, he hoped, would send to make all arrangements with the duke. As for their own impressions, they believed that the English were exerting themselves either to make peace with the Dauphin on whatever terms they could or to find money to raise a large and powerful army. " From what we can perceive, they know very well that the affairs of France cannot long continue in the state in which they are now."

The answer given by the English council entirely bears out this last impression. The duke had urged a more vigorous policy either for peace or for war. The council recounted all the steps that had been

Reply
of the
Council.

taken by the English in France to negotiate for peace or a truce, by way of proving that the fault did not lie with the English. As for the other alternative, a vigorous campaign to enforce peace, the King was grateful to the duke for his past help, and prayed the duke to remember the heavy burdens which he had borne from the first year of his life and was still bearing. He was doing his utmost now to support Burgundy in the field, and would soon lay the whole situation before parliament. He had no intention of abandoning his crown and sovereignty in France, but he was prepared to treat for a peace long enough to prevent unfair advantage being taken of the interval. Finally, he repudiated all evil reports of the duke, in whom he placed the fullest confidence.¹

Bedford
on his
defence.

When parliament met on July 8th, the chancellor, John, Bishop of Bath and Wells, delivered an allegorical discourse upon the text, "The mountains shall bring peace and the little hills righteousness unto the people" (Ps. lxxii, 3). The mountains, he explained, were the prelates and magnates, whose duty was unity and concord; the hills were the knights, squires, and merchants, whose duty was equity and justice to all classes; the people were the yeomen, artisans, and "the vulgar," and their duty was obedience to the King and his laws.² The peace desired was apparently peace at home. There was no distinct reference to foreign affairs. The silence of expectation was broken on the sixth day of the session by a challenge from Bedford. He had come home, he said, for various urgent reasons touching not only the King and the welfare of his realm of France but also his own good name. He had heard that the

¹ Stevenson, ii, 249-262.

² *Rot. Parl.*, iv, 419.

losses sustained by the King in France had been attributed to his neglect, and he asked to be confronted with his accusers. His request was considered by the council, and he was solemnly assured by the chancellor that "no such profane and scandalous words" had come to the hearing of the King or of Gloucester or of any of the council; and the King publicly declared his confidence in his "true and faithful liege and dearest uncle," and gave him special thanks for "his good, laudable and fruitful services."¹ Bedford was scarcely satisfied, and it was probably his influence with the King that led to two significant changes in the ministry. Lord Cromwell became treasurer, and the Earl of Suffolk steward of the household. They were adherents of the cardinal; their predecessors were part of the ministry which owed its formation to Gloucester early in 1432. It has been supposed on this ground, and also on the ground of the similarity between Bedford's challenge on this occasion and Beaufort's in 1432, that it was the cardinal's "machinations"² that had induced Bedford to come home and adopt an attitude of self-vindication which involved a tacit accusation of Gloucester. It is true that the cardinal had always, as far as can be seen, stood well with Bedford; and the cardinal's wealth was indispensable to the commandant of the English forces in France. But Bedford had other sources of evidence; he had spent a month with Gloucester and sundry lords of the council at Calais quite recently. Bedford, moreover, was too strong a man to act upon a judgment of even the sincerest partisan. It is all the more important to look closely at such an accusation against the

¹ *Rot. Parl.*, iv, 420.

² Vickers, p. 237.

cardinal, because there is perhaps a temptation and a tendency to use the cardinal's jealousy of Gloucester as a constant factor in English politics and the final and sufficient explanation of every political movement which is not quite transparently due to other forces. Bedford was assuredly no echo or reflection of Beaufort. It is quite possible, however, that the danger which Bedford had returned to combat was not merely the disloyal criticism of his brother of Gloucester but rather the growing unpopularity of the war itself. The subsidy of 1432 was limited expressly to the defence of the realm and especially the safe keeping of the sea. That same year saw the first English embassy despatched to France to negotiate for a peace or a truce, and the news of its progress was awaited with anxious interest. Beaufort, who spent a large part of 1432 in England, may have warned Bedford of this increasing discontent with the continuance of the war; and Bedford may have seen and heard enough at Calais from Gloucester and the lords who were in sympathy with this feeling to convince him that his first duty was to grapple with the opposition which found expression partly in the attempt to throw the responsibility of failure upon himself and partly in the refusal to make any sacrifices of its own.

Futile
mediation
of the
Duke of
Orleans.

Parliament adjourned from August 13th to October 13th. The vacation was occupied in a futile effort to make something of the mediation of the Duke of Orleans. On August 14th the Duke of Orleans signed a secret agreement with the English government.¹ Henry VI was to send English ambassadors to a conference at Calais or in Normandy about October 15th; the duke would invite Brittany,

¹ Rymer, x, 556-563.

Bourbon, and other French lords. If peace were not concluded within a year, the duke would return to England. In any case, he would recognise Henry's claim to the French crown, hold his fiefs as Henry's liege, secure the same recognition from certain lords of France, and win the alliance of certain lords outside France. Burgundy was informed of the approaching conference, and appointed envoys to attend. Beaufort, Warwick, and Suffolk crossed to Calais in readiness to meet the envoys of Charles of France, but a second time they waited in vain. The King of France made no response to the appeal of the Duke of Orleans; and the English plenipotentiaries returned to take their places in the parliament which had met again on October 13th.

On November 24th the commons, who had recently renewed their old protest against the countenance given by certain great lords to crimes of violence in the country, came forward with a petition to the King to retain Bedford in England. He had done his best in France, they said, shrinking from no danger or hardship, and his life was too "great a treasure to the King and both his lands" to be exposed to further peril. Moreover, his coming into England had been an untold boon; "the restful rule and governail of this land hath greatly grown and been increased thereby, as well by the noble mirror and example that he hath given to other, restfully governing himself and all his keeping, and obeying the King's peace and his laws, and making those that be toward him to do the same."¹ They urged the King to desire him to remain in England for the sake of his King and country. The King instructed the chancellor to summon Gloucester, Beaufort, the two

Bedford to remain in England.

¹ *Rot. Parl.*, iv, 423.

archbishops and other lords to consider this petition ; and they reported in favour of the commons' request. Bedford, visibly touched by this unique proof of affection and confidence, placed his services at the King's command.

**Financial
Reform.**

The new chief councillor lost no time in setting an example of self-denial for his country's sake. One of the new ministers appointed under his influence in July had already justified his appointment. Lord Cromwell, the new treasurer, had spent the recess in compiling a careful estimate of the finances of the realm. Roughly the net revenue was £40,000 ; the ordinary expenditure about £55,000 ; the debts amounted to £164,000.¹ Cromwell had great difficulty in getting parliament to face his budget in October, but Bedford kept the figures in mind. One of the heaviest burdens was the cost of the ministerial salaries. The very day after his acceptance of the King's command to stay in England he offered to content himself with an ordinary salary of £1,000 instead of the £4,000 which Gloucester had been receiving ;² Gloucester followed his example three days later ;³ at the end of the session Beaufort and four other prelates made a similar sacrifice by consenting to forego their allowance as councillors on condition that they were not required to attend during the vacations, thus saving the country £2,000 a year.⁴ Unfortunately, the commons admired without imitating ; their grants showed no increase. At the treasurer's earnest request a sort of financial committee of council was appointed, including Bedford,

¹ *Rot. Parl.*, iv, 432-438.

² *Rot. Parl.*, iv, 424.

³ *Proceedings*, iv, 185.

⁴ *Rot. Parl.*, iv, 446.

Gloucester, and Beaufort, "to see the books of the King's revenues, yearly charges and debts," and to determine the order in which the various liabilities were to be met.¹ It was a much-needed reform. There was no maladministration, but there was no system; debts were paid by incurring new debts, and the book-keeping was rudimentary, and the exact balance often hard to determine. It is possible that Beaufort advised or helped the treasurer in his attempts at financial reform; in 1442 the old cardinal spoke strongly at the council on the subject of unbusinesslike methods of meeting the liabilities of the government.² Meanwhile the Duke of Bedford laid down very definite conditions to which he required assent before he would undertake the conduct of affairs at home. He asked to know the names of the councillors who were to act with him; he insisted on the necessity of his own consent as well as of that of the council in any change in its membership, and in the summoning of parliament and the appointment to bishoprics or to offices of state. These requirements have been rightly taken as proving that Bedford saw that "conciliar government was not what the country needed."³ It is possible that Gloucester's own self-assertion in past years may have had its origin in part in a similar conviction that the council must have a guiding and controlling head. Nothing, however, marks more clearly the difference between the two men than the fact that the lords gave gladly to Bedford the place which in 1422 and in 1428 they absolutely refused to give to Gloucester. It is a fact which should be remembered in favour of Beaufort's attitude towards Gloucester's claims in the past.

¹ *Rot. Parl.*, iv, 439.

² *Proceedings*, v, 216.

³ Vickers, p. 241.

Conflict
between
Bedford
and
Gloucester.

The desire of the commons to keep John of Bedford at home practically involved the suggestion of the abandonment of a vigorous policy in France. Bedford had yielded to their desire without approving the implied suggestion. The honour of England, the memory of his brother, the labour of eleven of the best years of his own life, were at stake ; if France were a hopeless dream, Normandy could and must be saved and kept. Probably the two motives that weighed most in favour of his compliance with the petition of November 24th were drawn from the claims of the war. He needed rest to recruit his shattered health for a fresh campaign ; England needed pulling together and rousing for a new effort. Beaufort shared his view of the situation. Gloucester, too, was probably sincere after a fashion in his zeal for the honour of England in France, though his offer of personal service was possibly prompted by dissatisfaction with his inferior position at home ; but his idea of the war was as impracticable as it was ambitious, and he could not even manage to put it into shape without casting a reflection upon his brother of Bedford. In April, 1434, he laid before a great council summoned for the purpose at Westminster certain proposals of his own for the conduct of the war. Bedford asked for a written statement to which he could reply. The council, including as it did some of the ablest soldiers who had fought in France, examined Gloucester's scheme and on May 5th rejected it unhesitatingly. It would require, they said, at least £50,000 ; and the county commissioners for loans and the treasurer could vouch for the impossibility of raising such a sum. They spoke strongly of the way in which the credulity of an ignorant public had been misled by rumours that the

council had rejected proposals which would have relieved the people of taxation for years. Finally, they suggested that Gloucester should explain how the money was to be raised, and state whether he wished parliament to be summoned to discuss his plans. On May 8th Bedford produced his written defence of his procedure in France, and now Gloucester insisted on having an opportunity for a written rejoinder ; but the council advised the King to close the discussion by a declaration of confidence in both his uncles.¹ There is no record of the part taken in this dispute by Beaufort or any other councillor. It is quite likely, however, that as the next in influence to the two parties in the dispute he used his position to lead the council or to advise the young King. If this supposition is correct, the scene was an interesting counterpart to the parliament of 1426. Bedford had held the balance then between Beaufort and Gloucester ; this time it was Beaufort who turned the scale against Gloucester in favour of Bedford. The public reconciliation of 1426 left the duke and the bishop still opponents at heart. The drawn conflict of 1434 left the two royal brothers still estranged. When Bedford made his will in 1435 he appointed as his executors Beaufort and Archbishop Kemp of York, and never mentioned Gloucester at all.

Bedford's heart and conscience were in France, and in June he announced his intention of returning to his life's work. On June 9th he unburdened his soul before the council. The King's subjects in France were loyal, but they could not hold out in the absence of solid and constant help ; the King's subjects in England he had found kind and loving, but his mission to England had been a failure. Yet he could

**Bedford's
proposals
for the
war.**

¹ *Proceedings*, iv, 210-216.

Beaufort as
trustee
of the
Lancaster
estates.

not allow England to lose a conquest for which his brother and comrades had laid down their lives. He made three practical suggestions for the prosecution of the war. He proposed that the garrisons of Calais and its frontier should be placed at his orders, and that the private estates of the Lancastrian house should be devoted to the maintenance of 200 spears and 600 bows, in which case he was prepared to spend his own income from Normandy in the maintenance of a similar force.¹ The Lancaster estates had been "enfeoffed" or conveyed by the late King for the payment of legacies and debts, including his own "chantry," *i.e.*, the masses to be sung in his memory. The cardinal and his fellow "feoffees" or trustees did not see their way to break these obligations. "After long replication" they asked on June 14th for another day to consider their problem, and next day the cardinal enquired "whether the King and his lords then present could think that the foresaid feoffees might with true conscience and their worldly worships leave their estate, considering that the King's prayers and desires, whose soul God rest, be not yet performed." The council thought that if the King assigned to the trustees sufficient revenues from other sources they might surrender the Lancaster estates "with conscience and worship unhurt for so great a good to the King as this is."² The arrangement, however, was never carried out.

The
Cardinal's
loans.

On June 20th Bedford said good-bye to the council, and urged them to keep the promises made in December, 1433; but the treasury had no money to pay for his escort of 400 men, and after the lords had tried in

¹ *Proceedings*, iv, 222-229.

² *Proceedings*, iv, 229-232.

vain to borrow the sum, the cardinal came forward at Bedford's request to their great relief and advanced 3,000 marks for the purpose. The acts of the council during that month were largely concerned with the cardinal's loans.¹ On May 10th, he obtained a decision in favour of his right to the possession of the jewels confiscated in 1432, and therefore to the repayment of the £6,000 advanced by him in 1432. He promised at once to lend 10,000 marks and advanced the money on June 2nd. He was rigid, however, in his demands for security. Proper assignments were to be made in his favour on the incoming revenues. He was to receive such "weddes" (*i.e.*, pledges) as he himself approved and to keep them as his own property in default of repayment at such time as he might fix. The 10,000 marks were to be repaid "in gold of the coin of England of just weight"; if silver were tendered he would keep his "weddes." He asked for a statement of the salary due to him on the score of his attendance on the King in France, and for payment of the net balance still owing. Finally, he required a guarantee against any change or postponement of the assignments made on the revenues in his favour. All these demands were granted, except that he was promised "weddes" for 7,000 marks only, the lords of the council making themselves responsible for the remaining 3,000; the repayment of the whole sum was assigned on the clerical and lay subsidies. On June 16th he received letters patent for these assignments. On June 18th certain lords received an assignment on the lay subsidies to enable them to repay him 5,000 marks which he had lent at Calais at the request of Bedford and Gloucester and the council for the payment of the garrisons in France and for

¹ *Proceedings*, iv, 232-239, 242, 247-254.

the siege of St. Valéry. On June 20th he was given a promise of security for the old loans not yet repaid, and for the new loan of 3,000 marks for Bedford's escort ; and on June 23rd the whole agreement was embodied in letters patent. The "weddes" had been taken out of the "great treasury" at Westminster and placed in his possession on June 7th by Lord Cromwell, the treasurer, and the indenture then made between the treasurer and the creditor contains an elaborate description of each of the "jewels." There was "a pusan of gold called the rich collar," a great "ouch" of St. George's arms, a jewelled sword of gold called the Sword of Spain, a tablet of gold of the Passion of Christ, a tabernacle of gold containing an image of our Lady, a great ship called the *Tiger*, two great gold candlesticks, two gold basons, and two gold censers, valued in all at £4,924 6s. 8d., "and so lacketh of the sum of 10,000 marks £1,742 6s. 8d." It is evident that the cardinal was at least as scrupulous in exacting security for his loans as he was in requiring authority for the suspension of his obligations as trustee for the Lancastrian estates. The very poverty of the treasury, however, is sufficient justification for his demands. A banker must be repaid if he is to lend again. On the other hand these records reveal the extent of the cardinal's loans. It is no wonder that when early in June he asked permission to take large sums of money or plate on a journey abroad for reasons which for safety's sake were not to be made public, he baited his request with the assurance that his full purpose was with the grace of God to die in this land. The council might well require assuring that their banker was not removing his wealth permanently beyond the reach of a needy government.

Bedford crossed the Channel early in July, 1434, and was confronted at once by a series of peasant risings in Normandy, which taxed all his resources the rest of the year. It was a terrible disappointment, for he had done his best to be just to Normandy. He had built up a constitutional government; he had fostered industry and commerce; he had founded a university at Caen. Still he had been compelled to tax the people heavily, and when the peasantry were armed by the government against the depredations of "free lances," they turned against the English garrisons. A return of these garrisons for the year 1433-1434 was made by order of Bedford at Michaelmas, and in this return the Cardinal of England appears as captain of Honfleur, with three mounted lances, ten unmounted, and thirty-nine archers.¹ There is no reason to consider this particular garrison as a merely titular command; so it is evident that at sixty the military instinct of Henry of Winchester was still strong. The English on the whole held their own in 1434. Arundel was successful in Maine, and Talbot in Picardy, while Burgundy was steadily recovering his own territories. In 1435 the tide turned; Arundel was defeated and slain in the north, and elsewhere the French fought their way right up to Paris. But it was not merely the vicissitudes of war that led to the great effort made in 1435 to retain the English position by diplomacy; it was the growing pressure of the Papacy and the Council of Basel, and the yielding loyalty of Burgundy.

Beaufort
captain of
Honfleur.

The general council which met at Basel in 1431 set itself to face three great tasks, the suppression of heresy, the reform of the Church, and the pacification of Christendom. Its first year was mainly spent in

The
Council of
Basel and
the English
Govern-
ment.

¹ Stevenson, ii. [541].

a struggle for existence.¹ Pope Eugenius ordered its dissolution, and it was only the support of Sigismund that enabled the council to force the Pope in February, 1433, to revoke the dissolution. In June, 1432, the University of Paris appealed to Oxford and Cambridge to recognise and attend the council, and in July Sigismund, the council and the Pope all sent envoys to the English government ; and eventually the Earl of Huntingdon, the Bishop of Rochester, and the Archbishop of York were nominated as official representatives. In November Beaufort was given permission to attend the council and take £10,000 in money and jewels to the value of 5,000 marks, though nothing is said to show whether the money was intended for private or for national purposes.² He did not make his way to the council at once, for on February 16th, 1433, he was given a licence to take £20,000 on his journey to the Council of Basel, and on February 20th a safe-conduct for his journey to Sigismund, King of the Romans, with whom he was to remain "on the King's service" not more than one year.³ Here again details are wanting. It is uncertain whether the cardinal's mission to Sigismund had reference to the conflict still existing between pope and council, or to the attitude of Sigismund towards the war in France. It is even doubtful whether the mission was carried out. Sigismund was in Italy, working for his own coronation as emperor. Beaufort was at Calais in April. There was time, however, for him to attend the council. Some English envoys certainly went to the council, and came back at once by way of protest against an oath imposed by the council on

¹ Creighton, ii, 61-91 (ed. 1892).

² Rymer, x, 525.

³ Rymer, x, 538, 539.

all delegates, possibly also against its method of organisation. The council had rejected the method of deliberation by "nations," which had enabled England and Germany to play such a prominent part in the Council of Constance. The Bishop of Lodi wrote to Gloucester in June, 1433, to urge the return of the English envoys, and Henry VI replied on July 17th, no doubt in accordance with the advice of his council; Bedford, Gloucester, and Beaufort were all then at Westminster. The King protested against the imposition of the oath and against the violent language of the council towards the Pope.¹ The English government resented the neutralisation of national influence at Basel, and convocation in November declared itself on the side of the Pope against the council. In January, 1434, however, the Pope, driven from Rome and beset with difficulties, gave way and recognised the council, and decided to send cardinals to preside.

Meanwhile the council had taken in hand the pacification of Christendom in August, 1433, immediately after the failure of the mission of the papal mediator, Cardinal Albergati.² First the Duke of Burgundy and then the King of France accepted the council's offer of mediation. A bishop from the council came to consult the English government in November, 1433, and early in May, 1434, an embassy came from Burgundy. The English government stated in its reply to Burgundy on June 11th that the council and the Emperor had already broached the question of peace, but that the King had not accepted their offer owing to the prospect of a successful issue from the mission of Cardinal Albergati ;

English
embassy
to the
Council.

¹ Bekynton, ii, 144, 61.

² Beaucourt, ii, 508-510.

this mission having failed, the King was now sending an embassy to the council, and hoped that the duke's representatives would co-operate with his in the matter of peace and in all matters concerning the Church. The English representatives were the Bishops of London, Rochester, and Dax (in Aquitaine), and the Earl of Mortain (Edmund Beaufort), the Abbots of Glastonbury and York, the Prior of Norwich, the Dean of Salisbury (Dr. Brouns), and two knights, Sir H. Brounfleet and Sir J. Colville. Their instructions, dated May 31st, were extensive and precise.¹ They were to postpone their public audience until they had sounded the general opinion of the council, to protest against the new oath, to press for the system of voting by nations and especially to insist upon the consent of a nation to any decree directly affecting its interests, to act in concert with the Emperor, and at the same time to confer with the envoys of France and Burgundy. On the question of the relations between the Pope and the council, their instructions were guarded. They were to use their discretion, but if they heard on the way that the council was proceeding to depose the Pope and elect another, they were to wait where they were for further instructions. They were to explain that the resumption of the alien priories in England had been justified by the anti-national use made of their revenues, and that those revenues had been applied by the King to religious purposes. They were to claim for the clergy of Aquitaine the same privileges as those granted to the clergy of the rest of France, and to protest against the restitution of the clergy of Normandy deprived by the King. They were to assist the King's French representatives to secure a

¹ Bekynton, ii, 260-269.

place in the council, and they were to explain that the King's intentions were peaceful, but his persevering efforts had been frustrated by the unyielding temper of France. These instructions dealt with matters of considerable difficulty, and the English government was not above the use of other lubricants than the eloquence of its envoys. It is possible that the cardinal's £20,000 in February, 1433, was meant in part to smooth the way. It is certain that in April, 1434, the privy council ordered the purchase of collars of the King's livery, six of gold, twenty-four of silver-gilt, and sixty of silver, to be sent to the Emperor for distribution among the citizens of Basel and such knights and squires as the Emperor and the King's envoys thought fit to honour; in May 400 ducats and in June 100 marks were given to the envoys for the purpose of "retaining advocates at the council"; and in November letters of exchange for 1,000 marks were sent for distribution at the council at the discretion of the envoys "to the honour and advantage of the King."¹ On one point at least these inducements failed of their purpose. In February, 1435, the King had to write to the Cardinal of St. Angelo, president of the council, to request an audience for the envoys representing his realm of France, who had been refused admission again and again.² The point was significant of the attitude of the council towards the claim of Henry VI to the crown of France. It was precisely that claim on which the coming negotiations would turn; and the claim was already disallowed by the council which was promoting the negotiations.

¹ *Proceedings*, iv, 207, 217, 221, 289.

² *Proceedings*, iv, 297.

Futile
proposal of
conference
at Calais.

The Cardinal of England was doubtless behind the scenes in the various stages of these negotiations, even where his name does not appear. Just on the verge of Bedford's departure for Normandy in July, 1434, a further opportunity of mediation was conceded to the Duke of Orleans. The privy council consented that he should confer with his friends "the lords of the blood of the party adverse" at Calais, on condition that the Dukes of Bedford and Gloucester and the cardinal were also at Calais. If the French lords only sent envoys to Calais, the duke might go in sure keeping, but he must pay his own expenses "if the treaty profit not." The sea must be searched to prevent his capture; he must give security for his expenses; and the council must be consulted, and "not one man to take upon him to send him forth ne to let his going or contrary the advice taken before of his going."¹ The concession was made probably to satisfy the Duke of Brittany's repeated requests; but the precautions with which it was hedged prove at once how valuable an asset the possession of the duke was and how dubious his sincerity,—possibly also how suspicious the council was of the unauthorised activity of some or any particular councillor, though it would be an unwarranted supposition to name either Gloucester, Beaufort, Suffolk or any other. Nothing seems to have been done to give effect to the concession. The duke apparently never went to Calais. The cardinal returned home from France in the autumn of 1434. In November the signature *H. Cardinal* appears again at the head of the privy council, taking precedence as usual of the Archbishop of Canterbury. Two of the transactions in which he took part deserve notice as illustrating

¹ *Proceedings*, iv, 259, 260.

respectively the state of affairs at home and the attitude of the government towards the Papacy.

(1) On November 12th a full meeting of the council made a deferential but determined protest against the King's inclination "to change the rule and governance that afore in his tender age hath by his great council in parliament and else been advised and appointed for the good and surety of his noble person and of this land."¹ The protest hinted that private influence had been brought to bear upon the boy King, and urged that if any "such motions and stirrings apart as have been made but late ago" were made in future, he ought in view of his youth and inexperience to take the advice of "his great council or his continual council," as he used to do. No clue is given to indicate the "things of great weight and substance" in which the King had shown a tendency to ignore his council. It is possible that his lords resented his enthusiasm for the Pope against the Council of Basel. On the other hand, in the light of recent events, the absence of Gloucester's name from the council at this time suggests that it was the private intervention of a royal duke which the council resented as an infringement of their authority.

The King
and his
Council.

(2) On November 14th the council wrote to the Pope in the King's name to urge the revocation of a papal "provision."² Two sees were vacant, Worcester now for some years, Rochester quite lately by the death of its bishop at Basel. The King had appointed Thomas Bourchier to Worcester; the Pope had appointed Dr. Brouns, Dean of Salisbury, then at Basel. In October the council wrote to tell the English "courtisans at the court of Rome" that the

The
Council
and papal
"provi-
sions."

¹ *Proceedings*, iv, 287-289.

² *Proceedings*, iv, 285, 286.

King would shortly recommend to the Pope a fit candidate for the see of Rochester ; meanwhile the English agents were to endeavour to prevent any premature " provision." On November 5th a royal letter was sent to Brouns, reminding him that the King's assent was necessary to his provision, and warning him that he would never have that assent to Worcester or any other see while he opposed the King's will as he was doing in this matter ; finally he was ordered to state his intentions at once to the King and to the Pope. In the letter signed on November 14th the council pressed the Pope to recognise Bouchier as Bishop of Worcester, and intimated that the King would approve the appointment of Brouns to Rochester ; and this compromise was eventually accepted by the Pope.

CHAPTER XII

THE CONFERENCES AT ARRAS AND AT OYE 1435-1439

Under-
standing
between
Burgundy
and France.

FOR the Council of Basel the peace of Europe was one of several important objects. For the Duke of Burgundy it had become the one object of his efforts. War was more costly and fruitless than ever. England could give him less and less; France, rid of the adventurers who had ruled its court, could give him a place among its magnates. In September and December he signed truces with his brothers-in-law, the Constable of France and the Duke of Bourbon. In January, 1435, he held at Nevers a conference of French nobles which "assumed the aspect of a family gathering,"¹ and which ended in the signing of preliminaries of peace. A conference was to be held between all parties at Arras on July 1st. The Pope and the council were to be represented at the conference. If the French King's "reasonable offers" were rejected by the English, the Duke of Burgundy was to undertake the "pacification" of the kingdom; and definite cessions of territory were promised him in the event of his being driven to turn from the English to the French side. In May the duke sent envoys to London to tell the English court, as he had already told the English in Paris, that peace must be made, and that the French would never recognise the English claim to the crown of France. On June 4th Gloucester and Beaufort and the rest of the council issued orders for the presentation of gold plate to the

¹ Ramsay, i, 464, 465.

Burgundian envoys and of money to delegates from the Council of Basel, but the answer given to the envoys was unpromising. The English were willing to attend the conference at Arras, but unwilling to waive the obligations of the Treaty of Troyes of 1420. They were no less unwilling either to trust Burgundy or to lose him. They placed him at the head of their first list of plenipotentiaries; but they wrote to ask the Pope whether it was true that he had released the duke and others from their oaths of allegiance to the English. At the head of the alternative list of commissioners stood the name of the Cardinal of England,¹ but his departure to the congress was delayed, probably to enable him to intervene with revised instructions.

Negotia-
tions at
Arras.

All through July the conference was still in process of assembling at Arras. "The Great Parliament," as it was called, included representatives not only of England, France and Burgundy, but also of Sicily, Spain, Portugal, Denmark, Poland, and Italy; its composition was proof enough of the interest which practically all Europe felt in the question of peace.² Its first proper session was opened on August 5th in the Abbey of St. Vaast, under the presidency of the Cardinal of St. Cross, the papal delegate; the second place of honour was occupied by the other mediator, the delegate of the Council of Basel, the Cardinal of Cyprus. On August 3rd the Duke of Burgundy declined to act as a representative of England. On August 8th the Archbishop of York protested that the King of England only recognised

¹ Rymer, x, 610-616.

² For the history of the congress see Beaucourt, ii, 523-539 (from original documents, French and English); Ramsay, i, 467-472.

the presidents of the congress as mediators, not as judges. The first week of the congress was spent in formalities. It was on August 10th that the English envoys made their first public offer,—a futile demand for the surrender of towns and territories unjustly held in defiance of their King's rights. A more serious offer was made by them on the 12th which probably represents their original instructions ; they proposed a marriage between Henry and a French princess, and a truce for twenty years or more to enable the King, on attaining man's estate, to treat in his own person. The French refused to accept a truce, and offered on their part additions to Henry's territories in Guienne, and a sum of 600,000 crowns, on condition that Henry should renounce his claim to the French throne, restore all his conquests in "France," and hold his other dominions as a fief of the French crown. These proposals, which were practically identical with the last offers made by the French at Winchester the summer before Agincourt, were rejected. The French then made a further offer of practically the whole of Normandy, but the only answer made by the English was to add to their proposals of a truce and a marriage the offer to accept a ransom for the release of the Duke of Orleans. On August 16th the cardinals pressed the English to make some practicable proposal. At this point the English envoys fell back upon the secondary instructions issued to them on July 31st and held in reserve in case "the King's party adverse will in no wise be agreed with the offers made unto them" in the first instance. They proposed to cede everything beyond the Loire but Gascony and Guienne, and to accept a French princess, "rather than fail of a good conclusion of peace for default thereof, without land

or money." They were, in fact, willing to pay an annual revenue of 120,000 *saluts* (crowns) in return for the retention of their title in France. The French, however, were willing to pay 150,000 for the maintenance of the *status quo*, but refused to accept any other situation of affairs. They told the cardinals that they could consider no offer which did not involve the renunciation of the English claim to the French crown. This renunciation the English were not prepared to offer or consent to make; and the negotiations hung fire until the arrival of the Cardinal of England.

**Arrival of
Beaufort.**

Beaufort entered Arras on August 23rd, and was met by the Duke of Burgundy. The duke paid him a visit on the 25th, but the cardinal was not invited to meet the French ambassadors who dined that afternoon at the duke's table. On the 27th negotiations were resumed. Beaufort was inclined to put an abrupt end to the conference when he found that the French were standing firm to their demand for the renunciation of the crown; and when the presiding cardinals persuaded the envoys of both parties to produce an *ultimatum*, the Cardinal of England remained in the background, leaving the actual negotiation to the Archbishop of York, though doubtless prompting and controlling the English embassy at each step. On the 29th the English produced an *ultimatum* which was practically the second alternative of their revised instructions; each party was to retain what it held, except that there was to be "a commutation and interchange of such places and lands as either party hath enclaved within the obeisance of other," *i.e.*, a sort of "rectification of frontiers." Next day the French produced their *ultimatum*: the English to renounce all rights to the crown of France and in return to receive the whole of Normandy as a fief;

the Duke of Orleans to be set free ; a French princess to be married to Henry VI without a dowry. On the 31st the Archbishop of York rejected these terms absolutely. The King of England had no intention of renouncing his sovereignty over what territory he might retain. They were very much obliged to the Pope, the council and the cardinals for their efforts to mediate, but the conference was at an end. The Cardinal of St. Cross regretted the failure of the conference, and urged the English to accept the "great, notable and reasonable" offers which left them the best third of the realm of France ; and finally he stated that he had the Pope's authority to conclude a "particular" peace, *i.e.*, between Burgundy and France, if the general peace proved impracticable. To this statement the cardinals adhered in spite of a protest from the English that the duke was bound by his oath to make no peace independently of England.

On the afternoon of the 1st the duke entertained the English at dinner with lavish splendour. It was a hollow display. After dinner the Cardinal of England had a private interview with his host ; the Archbishop of York was called in, and the two spent an hour together with the duke. The cardinal's excitement grew so intense that the sweat burst out upon his forehead ; and the lords in waiting tried in vain to cut the argument short by pretending to bring in the belated spices. The breach had come ; the duke spent the last hours of the night in a private conference with the Cardinal of St. Cross. The rupture of the negotiations, already an open secret on the 29th, was a public fact before the 4th of September ; but a final effort was made on that day to meet the objection of the English that the renunciation of

Breach
between
Burgundy
and the
English.

their sovereign's rights could not be validly or safely made during his minority. The Cardinal of England and his colleagues met the French in the Church of Our Lady at Arras, and promised to lay the French proposals before the King if they were stated in writing. On the 5th they took their leave of Burgundy, and on the 6th left Arras. The next day the French drafted letters containing their last offers, with one important concession: the question of the renunciation was to be suspended until Henry attained his majority, on condition that the English should evacuate the territories which were eventually to belong to the French, and should reinstate all dispossessed holders of lands or benefices within the territories ceded to England. The time-limit fixed for the acceptance or rejection of this offer was January 1st, 1436. It was rejected in London, and its rejection finally fastened the responsibility of the failure of the conference upon the shoulders of the English. One London chronicler attributes the return of the envoys to the fact that "the French party had cast a train with great treason for to have betrayed the cardinal with the said lords" of the embassy, "and therefore the said English party would no further proceed."¹ The reference seems to be to a raid of the Armagnac captains upon Artois on August 25th, but the injured party in this case was the Duke of Burgundy rather than the English, and the raid was, therefore, obviously not instigated by the French authorities. Another chronicler says more vaguely that the conference "was to no profit, for the French part was not all true in their coming."² If this accusation refers to insincerity in negotiation,

Attitude
of the
English at
Arras.

¹ Kingsford, *Chron. Lond.*, pp. 139, 310

² Gregory, p. 177.

it might be made with equal or greater justice against the English. It was not peace that they desired, but a diplomatic recognition of that title in France which they could not enforce by arms and would not as yet surrender. Their attitude at this point may be summed up in two of the arguments of Sir John Fastolf's report upon the situation in September, 1435. The surrender of the claim now would be a confession that "all their wars and conquest hath been but usurpation and tyranny." The continuance of the war was at least a maintenance of the claim ; "better is a country to be wasted for a time than lost." Fastolf was probably voicing the views of Bedford and Beaufort ; they in turn were still dominated by the aim of Henry V. The chronicler, however, may be referring to an understanding between the French and Burgundy. Such an understanding had become more and more obvious since the gathering at Nevers early in 1435. At Arras again Burgundy had postponed his own arrival till near the arrival of the French envoys, and had been in continual touch with them throughout August. The English envoys had at least this excuse for their impracticable attitude towards the proposals of the French, that those proposals had the support of Burgundy, the nominal ally of England and now the secret friend of France. The secrecy was soon gone. Ten days of discussion of details, and there came on September 21st a Treaty of Arras between Duke Philip and King Charles which ended the twenty-five years of feud between the Burgundians and the Armagnacs. Burgundy was bound to the English by the Treaties of Troyes and Amiens and "by fifteen years of fellowship in arms."¹ The cardinals absolved him

¹ Stevenson, ii [576, 577].

from his oaths ; the death of Bedford on September 14th broke the tie of comradeship ; and a week later Burgundy became the sworn ally of the French on terms of his own which made him " practically a third king in France." ¹ His secession, however, was after all inevitable, and though the resentment of the English was intelligible enough, it was no justification for their obstinate insistence upon the French title. Even with the support of Burgundy they had lost ground during the last five years ; the prospect of regaining the lost ground in the face of Burgundian abstention or opposition was hopeless. The last offer which they refused at least gave them Normandy ; and the last solemn charge of Henry V and the policy of Bedford in 1429 alike revealed the consciousness that Normandy might be the most that England could keep. " Fifteen years later an Englishman could groan at the thought of what had been refused at Arras." ² The best that can be said for the refusal, for which the English people and council were alike responsible, is that it was dictated not merely by a national pride which clung desperately to an untenable position but by a doggedly faithful loyalty to the memory of the King whose life had been spent and lost in pursuit of the unattainable ideal of an English realm across the Channel.

**War with
Burgundy.**

Burgundy had no desire to push England to the point of war. It was England that drew the sword. Immediately after the conclusion of the Treaty of Arras ambassadors were despatched to England from the duke and the cardinals to explain and enforce the position of affairs. Their papers were seized at

¹ Ramsay, i, 473.

² Ramsay, i, 472.

Calais, and they were themselves guarded strictly in uncomfortable lodgings in London. When the letters were read before the King and his lords, the King wept over the omission of his French title in the duke's letter, and foretold misfortune for his realm of France. The Cardinal of Winchester and the Duke of Gloucester, says the French chronicler Wavrin, left the council abruptly, indignant but undecided, and the councillors gathered in little knots and abused each other as well as Burgundy and his ministers. Then came the news that Burgundy had taken possession of his reward, towns once nominally English territory. London lost its head : the mob plundered the Flemish merchants' houses, the government dismissed the envoys with a practical threat of reprisals, the chancellor laid before parliament a garbled account of the conference at Arras, and parliament sanctioned war against Burgundy as well as against France. The duke's complaints against English interference with Flemish subjects at home and abroad were met by the council with partial explanation and partial denial, and the breach was complete. Burgundy sent troops to assist the French in the recovery of Paris ; the Duke of York, the commander of the English reinforcements, was actually authorised to negotiate with the French against Burgundy. Calais was promptly besieged by the Burgundian forces ; but the Earl of Mortain, Beaufort's nephew, one of York's lieutenants, relieved the garrison, and the siege was raised, Gloucester, the new Lieutenant of Calais, arriving only in time to make a punitive raid into Flanders.

The cardinal's share in the events of 1436 is not disclosed by the records. The only appearance of his name at the council is among the signatures to the

**Prominence
of the
Cardinal
at home.**

King's letter to Burgundy in March.¹ Possibly the references in that letter to the King's action in suppressing outrages upon Flemish subjects may indicate that the cardinal had endeavoured already to prevent the breach with Burgundy from being carried to an extent fatal to English commerce. Beaufort was certainly the first English statesman to endeavour to close that breach. But from April, 1437, to May, 1438, the proceedings of the council show the cardinal in continual attendance.² He had indeed at first shared the general disheartenment of the early part of 1437. The Duke of York declined to remain in command in France after his year's service expired, and was succeeded by the old Earl of Warwick, who was glad apparently to exchange the growing difficulties of the tutorship of the young King for even the hardships of an uphill struggle in the field. The English chancellor in France, the Bishop of Rouen, came over to find relief as a naturalised citizen of England and as Bishop of Ely. On April 13th the cardinal himself wanted to resign his councillorship on the ground that he was entitled to rest now and the King was old enough to dispense with his services. He asked leave to go "to do his duty" at Rome, but was refused permission; perhaps the council were apprehensive of his private ambitions, perhaps they were genuinely anxious to retain his services, as they said, for negotiations at home or in France. The cardinal yielded, and took up his burden again. On the 18th he was granted some other petition of his not further specified, and the minute of the council adds the brief but sufficient explanation, "he hath lent 10,000 marks." He had also postponed the repayment

¹ *Proceedings*, iv, 329-334.

² *Proceedings*, v, 6-101.

of this loan and of another of 4,000 marks, and promised to restore the royal jewels held by him in pledge. The gratitude of the council went further ; in June he received a general pardon for all irregularities in the matter of his loans, and in July further security was given for sums yet due to him. His prominence is illustrated in various interesting ways. On May 14th the Earl of Suffolk brought the keeper of the privy seal " a ring to token from my lord the cardinal letting him wit that my said lord the cardinal would that this bill should pass as it is desired," apparently one of the ordinances relating to " the requests of France and Normandy." In November when the Duke of Burgundy's movements seemed to threaten Calais again, and the different members of the council gave their advice upon the way to meet the danger, it was the cardinal who announced the King's wish that commissioners should be appointed to muster the gentlemen of each county in readiness " for the rescuing of Calais."

Early in 1438 he was requested by the council to lay before them letters sent to " his fatherhood " by the Queen of Scotland with reference to the coming of a Scottish embassy. The murder of James I in February, 1437, had left the cardinal's niece Joan a widowed queen, and she soon made overtures for peace with England which her uncle succeeded in persuading the council to accept. At the same meeting of the council a list of the lords spiritual and temporal was sent to the cardinal with the request that he would in the King's name " appoint such as him shall seem best " to attend the obit of the Emperor Sigismund, who had died in December, 1437, and to go to the general council, and others again to act as lords marchers of Wales.

Negotiations
(1) with
Scotland,

(2) with
the Council
of Basel,

The ambassadors appointed were instructed to exert their influence with the electors in favour of Sigismund's son-in-law, Albert, Duke of Austria ; and in May the council suggested a marriage between Henry and a daughter of the new Emperor. At the same time the English government endeavoured, as Sigismund had done, to avert or heal the breach between the Council of Basel and the Pope. In September, 1437, Eugenius had issued a bull transferring the council to Ferrara in compliance with the wishes of the Greek Church, which was prepared to send delegates to Italy to discuss the question of reunion. The council refused to be transferred and proceeded to suspend the Pope, and their "monition" was laid before the English council in November. Henry wrote an indignant remonstrance to Basel, but in February the English council was prepared to send envoys either to Basel or to Ferrara. In May their envoys were instructed "not lightly to adhere to the one party or the other, but put it in suspense for a time and thereof certify the King and have his intent therein, lest he should fall into schism."¹ Henry wrote to the Pope to express his sympathy, and to the council at Basel to say that in spite of their discourteous reception of his messengers he proposed to send envoys to promote peace.² It would be interesting to know how far the King's attitude was due to his own devotion to the Papacy or to the influence of the cardinal ; but there is no evidence to decide the question. The privy council advised the King early in 1438 "to grant no licence to my lord

¹ *Proceedings*, v, 96-98.

² Bekynton's *Correspondence* contains many interesting communications between Henry VI and the powers of the Church with reference to Basel, the Papacy, the Greek Church, etc.

cardinal to go to the general council,"¹ but it is doubtful again whether their advice was due rather to their suspicion of his attitude on papal questions or to their desire to retain his services at home. Peace was once more under consideration, and the cardinal was by position and by inclination the fittest negotiator that the English government had at its command. The war was still prosecuted as strenuously as circumstances permitted, and Edmund Beaufort, now Earl of Dorset, went to France in June, 1438, in command of the year's reinforcements; but his uncle the cardinal was already, it would seem, laying his plans for further negotiations.

In January the council agreed to waive their demand for the prepayment of the cost of sending the Duke of Orleans to Cherbourg for a conference, but the French made no response. Meanwhile the cardinal was watchful of every opening on the side of Burgundy. His niece the duchess, Isabella of Portugal, was a kinswoman and a friend of England. Hugh de Lannoy, the famous Burgundian diplomat, was at the English council in May, 1438. On November 21st at the cardinal's request safe-conduct was given to a returning Burgundian envoy, and on the 23rd the cardinal, the Archbishop of York and others were empowered to treat with the duchess.² The primary question was the renewal of commercial intercourse between England and Flanders, but the negotiations soon extended to the question of a conference to discuss peace with France. The cardinal's investments in wool were not his only or chief motive for welcoming peace with Flanders;

(3) with
France,

(4) with the
Duchess of
Burgundy.

¹ *Proceedings*, v, 93.

² Rymer, x, 713-716.

Burgundy was now his only hope for England. If the Burgundian alliance against France was gone beyond recall, Burgundian mediation with France was worth an effort. The duchess was more sincere, the duke more powerful than the prisoner of Orleans round whom the futile attempts at negotiation with France had centred in the last two years. Such mediation must involve some abatement of English claims, but the cardinal was aware by this time, perhaps even earlier, that those claims were now a mere flourish ; and England stood to lose less through the mediation of Burgundy than through any other line of negotiation.

Proposal of
conference
at Calais.

The cardinal went over to Calais with other councillors to meet the duchess in person in January, 1439, and the conference was all arranged before the spring. The English consented to bring the Duke of Orleans ; the French consented to come to Calais. The duchess scored a point of her own in getting possession at once of the little French princess, Katharine, who was to be her son's bride, but it is doubtful whether this alliance did not neutralise any advantage that the English expected to gain from her relation to the house of Lancaster.

Instruc-
tions of the
English
envoys.

The chief members of the English embassy consisted of the Archbishop of York, the Duke of Norfolk, and the Earls of Stafford and Oxford. Their instructions were signed on May 21st. They were actually instructed in the first instance to demand the unconditional surrender of all France as " the most reasonable mean of peace," and this demand was even inserted in the credentials which were to be produced before the French.¹ It may have been intended to satisfy Gloucester's objection to any semblance of a

¹ Rymer, x, 720-733.

concession,¹ but it was probably a mere bluff, for the rest of the instructions gave the envoys a sliding scale of concessions to be offered in turn, which went far beyond any previous proposals from the side of England. The cardinal, "more as a prelate of the Church and as a mediator and stirrer to the peace," was to dwell upon the cost of the war to Christendom as a sacrifice of life and as a hindrance to the extension of the Christian faith; upon the only alternatives, the destruction of one power or the concord of the two; upon the "nighness of blood" between the princes concerned; upon the duties of sovereigns to secure peace and justice for their people; upon the fact that France had "not at all times been wholly under the governance of one sole king, nor it is not of the necessity of the law of God or of nature nor also of the necessity for the behoveful governance thereof that it so be." "By these motives and other such as my lord the cardinal's great wisdom will advise" the temper of the conference was to be attuned to the reception of a series of offers.² First, the envoys were to ask for a petition of France which left each king in possession of the titular sovereignty of the whole; in the last resort they were to offer to accept the Bretigny dominion (Guienne, Poitou) with Normandy, Maine and Calais, all to be held in absolute sovereignty. With regard to the reinstatement of dispossessed partisans of France within the English territories, they were to make partial concessions under protest. If the old proposal for a marriage between Henry and a French princess were revived, they were to press for the conclusion of peace first, and not to bind the King; in any case they were to ask for a dowry of

¹ Ramsay, ii, 11.

² *Proceedings*, v, 356, 357.

a million crowns, if they could not get two millions. The price of the release of the Duke of Orleans was to be 100,000 marks. If peace proved unattainable the Duchess of Burgundy and the Duke of Orleans were to be utilised as mediators of such a truce, long or short, as might be had. But the most significant instruction of all was the reference to "the leaving of the name and crown of France." They were to lay stress upon the fact of the coronation of Henry in Paris with the assent of "a great party of the peers of France" in person or by proxy, and upon the ancient examples of rival kings in France; "but finally rather than the thing fall to rupture, the said ambassadors shall report them in this matter to my lord the cardinal to whom the King hath opened and declared all his intent in this matter."¹ This can only mean that the cardinal had persuaded the King and council to allow him in the last resort to make the great surrender which at Arras he himself had refused to allow to be made.

**Bekynton's
journal
of the
conference.**

The story of the conference is told in detail in the journal of Dr. Thomas Bekynton, one of the English envoys.² Beaufort and the ambassadors crossed to Calais on June 26th. The French arrived on the 28th, and on the 29th were told that the time and place and conditions of meeting must be left to the decision of the cardinal and the duchess, who were the presiding mediators. They dined with the English at the Archbishop of York's house, and next day called to take leave of the cardinal, and swore a solemn oath before the altar in the cardinal's oratory, the Archbishop of Rheims placing his right hand on his breast,

¹ *Proceedings*, v, 360, 361.

² *Proceedings*, v, 334-407; English summary in chronological catalogue, pp. xiii-xxx; see also preface, pp. xxxv-lxxx.

and the rest of the French envoys placing theirs in the cardinal's. The purport of the oath was that they would in no way do or allow to be done any injury to the English envoys or to the mediators or their retinues. Two English envoys went to administer a similar oath to the Duke of Burgundy at St. Omer, and to consult the duchess. On July 2nd, the feast of St. Swithin, the patron saint of Winchester, the cardinal entertained all the ambassadors and knights and young gentlemen of rank (*domicellos*) then in Calais. The duchess decided that the conferences should take place near Oye between Calais and Gravelines, that three hundred persons on either side might attend, armed with swords and daggers only, and that ten scouts on either side should patrol the neighbourhood daily. On July 6th Dr. Bileston celebrated mass in the cardinal's chapel, and soon after six the cardinal and the ambassadors rode out to the meeting-place. The Duke of Orleans, who was left behind at Calais to prevent any attempt to rescue him, resented his detention, remarking that in his absence "the others would do nought but beat the wind." The diarist dwells with pride upon the splendour of the cardinal's tent at Oye. It was built of timber, covered with new canvas; it had pantry, butlery, wine-cellar, and chambers, and a central hall hung with scarlet tapestry, large enough to seat three hundred persons at table, with a kitchen at the end. The duchess had a tent of her own nearly as large, but it was built of rotten timber and covered with old sails, though it was sumptuously lined with cloth of Arras. For the conference the duchess had reserved a beautiful tent between the two.

The duchess arrived about ten with her niece the Princess of Navarre and her ladies, richly dressed in

cloth of gold. The cardinal met her with an affectionate embrace, and led the way to the conference tent. At Arras he had been merely the senior envoy on the English side. At Oye he occupied the central seat of honour, with the duchess on his right and the princess on his left, while the ambassadors sat on either side. The Archbishop of York opened the conference with a Latin oration in praise of the mediators, and the ambassadors exchanged their credentials. The cardinal, who was fasting that day in honour of St. Thomas the martyr, retired to dine, but his dinner was interrupted by messengers from the duchess. The French had taken grave exception to the terms of the English credentials. They protested against the bare reference to their king as "Charles of Valois," against the demand for the surrender of France, which in the opinion of the duchess herself would have been more wisely confined to the envoys' own instructions, and also against the absence of any authorisation to consider the question of the renunciation of the crown; and the cardinal had to consent to the revision of the credentials, and to promise that the English council would accept the revision. The duchess and the French then returned to Gravelines, the cardinal and the English to Calais.

The parties met again at Oye on July 10th. Revised credentials were read and approved on both sides; the French had corrected certain obscurities in theirs at the request of the English. The Archbishop of York then proceeded to demand the cession of France, arguing in favour of the King's title first from his victories won in its defence, secondly from the prophecy of St. Bride in her Book of Revelations that when the realm of France had been reduced to true humility it would revert to its lawful heir. The

Archbishop of Rheims retorted with a converse argument from the victories of the French King and with a prophecy of John the Hermit that after France had suffered for her sins she would finally drive the English from the realm. The English prelate insisted on the superior inspiration of St. Bride, but eventually passed on to the second of his instructions, and offered to cede certain territories south of the Loire. The French refused to consider any offer unless the English were prepared to renounce their title, to do homage for their territories, and to reinstate all dispossessed French partisans within those territories. In that case they would cede all present possessions of the English in Aquitaine. Their offer was rejected by the English. The cardinal spent an hour after dinner alone with the duchess in the conference tent, but had to tell his countrymen afterwards that the French would not yield their points, and that a truce was as much as the English could expect.

On July 13th the duchess and the French ambassadors had an interview with the Duke of Orleans outside Calais, the cardinal coming in from time to time. In answer to an appeal from the duchess, the duke assured her that he would gladly die to secure peace, but nothing came of the interview. On the 15th the cardinal and the ambassadors gave an audience to the Bishop of Vique, a legate sent from the Council of Basel to treat for peace. Next day the Archbishop of York thanked the council for its good intentions, but explained that the ambassadors could only attend to the appointed mediators, the cardinal and the duchess. It was the partisanship of the fathers of the council at the conference at Arras that had made the present conference necessary, and the council had better take care moreover now to avoid

Interven-
tion of the
Council
of Basel
declined.

the responsibility of causing a schism in the Church. The legate replied with a word of compliment for the mediators, a word of defence for the council, and a word of condemnation for the Pope. The archbishop adhered to his complaint about the conduct of the council at Arras, and refused to discuss the Pope ; there were differences of opinion about the respective authority of pope and council, but no doubt his holiness could do justice to his own character when he thought fit.

Suspension
of the
Conference.

The duchess was recalled to St. Omer for a few days by the illness of her husband, but returned for a conference on the 18th. The cardinal had an interview with her from which he came at once to tell the English that the duchess regarded peace as hopeless, since the French demanded the renunciation of the crown and the English refused the demand of homage. She had urged him to discuss the question of a truce for thirty, twenty, or at least fifteen years, the respective claims of crown and homage to be waived for that period, and the King to be free to resume his French title and reopen the war at a year's notice. Unfortunately, when the proposal of the duchess was reduced to writing at the request of the English, it was found that the French had inserted two other conditions, the release of the Duke of Orleans and the restoration of the ejected clerical and lay owners. In that form the proposal had no chance of acceptance by the English, and the Duke of Orleans admitted to the cardinal that he shared the original impression of the English and their surprise at the alterations. Negotiation on such an uncertain basis was difficult. The English replied with an offer to be content with the ancient possessions of the King's predecessors before the title to the French crown arose ; but the

French were not satisfied with the specification subsequently given of these possessions. The English complained of the indefiniteness of the cessions offered them during the time of the proposed truce. The duchess pressed them in vain to accept at least the outline of the proposal, and in her vexation burst into tears, "whether of anger or sorrow," writes Bekynton, "I know not." During the interchange of schedules the cardinal seized the opportunity to confer with Lannoy and other Burgundian envoys whom he had invited to Calais; he was anxious to come to terms with Burgundy, even if terms with France should prove unattainable. On the 29th the cardinal met the duchess and the French ambassadors at Oye, and told the English next day that the French had offered to allow the King to keep his possessions in Guienne and practically all Normandy. On the 29th all parties met near Calais, and it was agreed that the conferences should be suspended until September 11th, and meanwhile the English should consult the King. The Archbishop of York and two other ambassadors sailed for England on August 5th. The cardinal remained at Calais. He took the precaution of increasing the sentries in view of rumoured attempts at a rescue of the Duke of Orleans, and on the 6th went to stay at the Castle of Hammes. There the Bishop of Norwich and Bekynton paid him a visit, and after dinner the cardinal rode with them to the chapel and tomb of St. Gertrude, where they made their offerings and said their devotions, and brought away some of the earth from the saint's grave "because it was said in common opinion to drive away rats." The cardinal was recalled to Calais on the 19th by the news of the capture of part of the town of Meaux by the Constable of France.

He was suffering from dysentery, but he took care to keep the King informed of the news from Meaux, and he rode out in the intervals of his sickness to examine an irruption of the sea, and made a contract for the necessary labour to repair the breach. On September 7th he gave audience to a deputation of Flemish herring-fishers who came to request a safe-conduct for their boats.

Negative
instruc-
tions from
England.

On September 9th the ambassadors returned from England with their new instructions. On the three main points—the final or even temporary renunciation of the crown, the homage to the French King, the reinstatement of the dispossessed—these instructions required the ambassadors simply to refuse the French demands. From a pious desire to avoid the guilt of bloodshed or schism, the King would be content with Normandy, Guienne, Calais, Guisnes and their marches, all “to hold immediately of God and in no wise of any earthly creature.” In the last resort he would reinstate the dispossessed in Normandy on condition that the present holders were given a just compensation, of which the King would pay a quarter, if his ambassadors could not shift it all off his shoulders, and “the King’s adversary” must pay the rest. The Duke of Orleans might be released, but only on bail to plead for peace, in default of which he must return to captivity. To these instructions was appended an elaborate justification of the King’s refusals. To waive his title even for a time would be to discredit the justice of his former position or the courage of his policy, to say nothing of the necessity of revising the seal, coinage, and arms of the English realm. To reinstate the dispossessed would be to eject persons at present holding lands of the King under good title or legal grant, to garrison his territories

with avowed enemies, and to imperil his hold upon those territories if the war broke out again, as it might at a year's notice. To accept such terms would show far "too great a simpleness and lack of foresight."

The refusal, however, showed a far greater lack of foresight. There can be little doubt that it was Gloucester who was responsible for the refusal. Within six months Gloucester penned his famous indictment of the cardinal and his party. In that indictment Gloucester stated proudly that when his advice was asked by the King after the Archbishop of York had endeavoured to persuade the King to consent to the renunciation, he replied: "I would never agree me thereto, to die therefore."¹ In Beaufort's absence Gloucester was the dominant personality at the council. He may be acquitted perhaps of the crime of giving a judgment on national policy out of private antagonism to the promoter of that policy. He can scarcely be acquitted of wilful blindness to the trend of events. High-flown language about the title as vital to the honour of the King and his predecessors was not to the point. The question of holding anything at all in France with or without title was rapidly becoming acute.

Gloucester's responsibility.

The last clause of the new instructions recommended that the cardinal should offer the King's last terms in person "where it seemed that they may so better be put in overture than immediately by the said ambassadors." The compliment was double-edged, for the cardinal was foredoomed to failure. On September 11th the English went to the place of conference, and found that the French had not been seen at Gravelines since the end of July; and the cardinal informed his countrymen on their return to Calais that "the

Failure of the conference.

¹ Stevenson, ii, 446.

adversary of France " had written to the Duchess of Burgundy and the Duke of Orleans to say that the question of peace must be laid before the estates general on September 25th, and the conference must be postponed until after that date. The English decided that the conference was at an end, but the cardinal was to continue to negotiate with the duchess and Orleans. On the 15th the duchess drove to Calais to hear the news from England. The cardinal told the ambassadors next day that she pressed hard for the acceptance of her proposed form of peace ; and when he convinced her that there was no hope of its acceptance she argued in person or by her chancellor in favour of the continuation of the negotiations as lately suggested by the French. The cardinal refused to consider this proposal, and attributed the delay of the French to " fraud," adding that they had made larger concessions at Arras than they now offered. The duchess thereupon played the candid friend. She reminded the cardinal that the King was in a stronger position then, and ran through a list of towns lost by the English since Arras. The cardinal did not need reminding ; but the new instructions from England drove him to maintain an attitude which he knew to be absurd in the face of facts. The subject of France was then dropped. The duchess, however, had an end of her own to secure, and she asked " mildly enough, in fact coolly, it seemed, and in an offhand sort of way," whether the cardinal wished the truce with Burgundy to continue, and whether he had anything further to say about mercantile intercourse between England and Flanders. The cardinal replied by asking her the same question, and an agreement was made which ended in the signature a fortnight later of a truce for

Truce with
Burgundy.

three years which safeguarded the commercial interests of the two countries. On October 2nd the cardinal and the ambassadors heard mass in the Carmelite Church at Calais, and at seven set sail for England to report their failure. The only consoling feature in the situation was the truce with Burgundy, which meant safety for Calais and freedom to attend to the defence of Normandy.

CHAPTER XIII

THE POLICY OF THE BEAUFORT PARTY 1439-1444

Proposal to
release the
Duke of
Orleans.

BEFORE the year 1439 was over both England and France were preparing for a fresh conference in accordance with the last proposals of the Duchess of Burgundy at Oye. The cardinal's return to England had restored the supremacy of the peace party at home. In France the English were more and more content perforce to remain on the defensive. The veteran Warwick had died in harness early in 1439, and his place was filled by the Earl of Somerset, the cardinal's nephew, a far inferior leader. Guienne was now hard pressed by a French invasion; Normandy was still in sore straits. The case for negotiation was stronger than ever. The negotiations, however, were indirect this time; the question of the year was the release of the Duke of Orleans. It was a quadrilateral deal. France was anxious to regain a prisoner more valuable even to England as a hostage than to France as a subject. Burgundy was bent on uniting the great lords of France in an attempt to keep the power of their King in check, and the support of Orleans was a necessary and a promising factor in this attempt. The Cardinal of England welcomed the opportunity of at once laying Burgundy under an obligation and weakening the realm of France from within. It was obviously impossible to explain publicly the origin or aim of the new policy, but there were other respectable and plausible considerations which could be urged in favour of the release of a

prisoner upon whose retention Henry V had insisted so strongly in his last wishes. The Duke of Orleans had continually asserted his desire and his ability to procure peace if he were only set at liberty, and of course his ransom would be a welcome relief to the exhausted treasury. The captive duke himself was no mere pivot of the plan; he wanted power as well as freedom. He was ready to buy the termination of a quarter of a century of exile at any price, but he was also pledged already by a private understanding with the Duchess Isabella to bury the past feud of his house in an alliance with Burgundy. The whole scheme was a complicated network of conspiring interests which were ultimately bound to prove conflicting. Meanwhile it provoked Gloucester into an outburst of antagonism fiercer than ever.

It was characteristic of Gloucester that his first protest was a personal attack upon the cardinal and the Archbishop of York, the leaders of the peace party. Their present policy was, indeed, included in the indictment, but the indictment ran back to Beaufort's first acceptance of the cardinalate in 1417. It was an indiscriminate array of every possible accusation against his old rival and opponent.¹ The first two charges (1, 2) denounced the illegality of his position as cardinal and bishop, regardless of the fact that parliament and council had long ago given that position full indemnity and recognition, and that the cardinal had himself won the acquiescence of the primate, if not his approval, by refraining from interference in church affairs at home these last ten

Gloucester's
attack
upon
Beaufort.

¹ Stevenson, ii, 440-451, from Ashmole MS. 856 (Bodleian Library), pp. 392-405; Arnold's *Chronicle*, pp. 279-286; Hall, pp. 197-201. The numbers in the text above are the numbers of the "items" as they are given in the indictment.

years. (3) The third charge reveals the line of party cleavage at this time; Beaufort and Kemp were accused of having usurped the position of "chief councillor," which should be the privilege of the Archbishop of Canterbury, and also of "estranging" and excluding from their rightful share in the King's confidence Gloucester himself and the Duke of York and the Earl of Huntingdon and other lords. Gloucester next turned to deal with matters of finance. He asserted (4) that during the King's "tender age" the cardinal once lent £4,000 on royal jewels valued at 22,000 marks (over £14,000), and instead of allowing the treasurer to redeem the jewels at the time agreed made him spend the money on part of another army, in order to retain the jewels to his own profit and to the King's loss. (5) The cardinal's loans had been and were still secured by assignments on the customs of the port of Southampton within his own diocese; Gloucester now hinted that as the cardinal was himself the "chief merchant of wools" in the land, and the customs-officers were his servants, the revenue probably suffered undiscoverable losses. (6) His loans were indeed great in amount, but they were delayed till they were practically useless. (15) Jewels forfeited by the cardinal to the value of £11,000 by weight had been recovered by him "for the loan of a little parcel thereof," the King being thus "defrauded wholly of them." (16) The cardinal had purchased of the King certain estates, *e.g.*, the castle and lordship of Chirk in Wales; and Gloucester had only consented, he said, under protest, in order to avoid the abandonment of the expedition to Guienne, which apparently depended on the cardinal's advances. But the cardinal had stipulated that the King must give him possession by Easter, 1440, or

else surrender to him the Norfolk estates of the Duchy of Lancaster to the annual value of 700 or 800 marks. (18) He had "sued a pardon," (*i.e.*, an exemption) for life from the payment of the tenths due from the see of Winchester, regardless of the King's needs and of the bad example thus set to other lords spiritual to shift their share of national burdens on to the temporality and the King's "poor people." (7) He had abused his position as "feoffee" or trustee of the late King's estate by giving Elizabeth Beauchamp 300 marks' worth of property on her marriage, though the King's will expressly stipulated that she was to receive the property only in case of her marriage within a year. Then there was his preferment of his nephew, Swynford, though here Gloucester gave no word of specification. (8) The Scottish King had been released by the bishop without authority to the "great defraudation" of the King of England, all for the sake of making a queen of the bishop's niece; the bishop had sacrificed a sixth of the ransom, and the Scottish King had paid but little of the rest. (20) Finally, the duke attacked the sources of the cardinal's wealth. "Of his church it might not rise; inheritance hath he none." At a time when the poverty of the King's subjects made honesty and efficiency more needful than ever, the cardinal had sold offices and commands in France to the highest bidder, regardless of service or ability. Further back still, the cardinal, "having the rule of the King," had purchased a pardon for his offence against the statute of provisors, whereas the property forfeited by this offence would under careful management have paid the cost of the war for many years, and saved the King's poor people from taxation.

In seven other articles of the indictment Gloucester

fell foul of the policy of the cardinal and the archbishop. (9) Money had been wasted on embassies. An embassy had been sent to Arras "for a feigned colourable peace," but the only result was a peace between Burgundy and France, which might never have come if the conference at Arras had not given them an opportunity of meeting "to conclude their confederacy and conspiracy" against the King. (10) Another embassy had been sent to Calais lately (*i.e.*, early in 1439). Its reasons were unknown to Gloucester, the King's "sole uncle," and to other lords of his kin and council; and its cost might well have gone to defend the realm and to protect commerce. (11) Then came the conferences at Calais in the summer of 1439. In spite of the "natural war" between the Dukes of Orleans and Burgundy, the cardinal and the archbishop had allowed Orleans to confer privately with the French lords as well as with the Duchess of Burgundy, and the result had been a peace and alliance between the two dukes, "to the greatest fortifying," Gloucester told the King, "of your capital adversary." Meanwhile the French had used the time of the conference to capture Meaux and other places in Normandy. (12) The archbishop had been sent home by the cardinal to induce the King to grant the French demands, and had actually urged the King to surrender his title for a time, "to the great note of infamy that ever fell" to the King and his noble progenitors. For his own part Gloucester had resisted and would resist the surrender; he would live and die in defence of the King's honour and his coronation oath in France. (13) Now the two prelates had persuaded the King to consent to a renewal of the conferences in March or April, 1440. The responsibility for the failure of

1439 lay, as the world could see, with the "untruths" of the adverse party; the next failure would be made to rest upon the King. (14) Finally, the proposal to release the Duke of Orleans was the work of the same two prelates. Yet the late King had by his last will urged that the release should be postponed till the conquest of France was completed, and then should only be conceded under strict safeguards.

The personal element was evident again in two of the closing charges. (17) The cardinal, in spite of the fact that he had "no manner of authority nor interest unto the crown," had "taken upon him estate royal" by summoning the council several times to his own house, a thing which had not been done in the case of greater men than himself without express command of the King. (19) Gloucester complained that his offers of personal service in France had been rejected "by the labour of the said cardinal in preferring other of his singular affection," who had only succeeding in losing ground. The Earl of Dorset's recent expedition was a notorious failure. Gloucester concluded his tirade by disavowing any intention of accusing the council; he had, he said, named the persons responsible for the "disordinate rule" of which he complained. His business lay with the cardinal and the archbishop, who "pretended the governance" of the King and realm. He asked the King outright to exclude them from his council "to that intent that men may be at their freedom to say what them thinketh of truth"; finally, he posed as the brave advocate of the suppressed, "for though I dare speak of my truth, the poor dare not so." When the cardinal and archbishop had cleared themselves, then they might safely be restored to the King's council.

Estimate of
Gloucester's
indictment.

Some of the charges in this pamphlet of Gloucester's have been already considered in their place, *e.g.*, the cardinalate, the Scottish marriage, the retention of the see of Winchester. Others are speedily answered in the light of the facts already given. The conference at Arras, for instance, was indeed costly; it is said to have absorbed £20,000. But it was an honest effort on Beaufort's part, if obstinate. The reconciliation between Philip and Charles VII was in no sense due to the conference; it was rather a foregone conclusion before the conference met. In fact Gloucester was not merely here and on other points guilty of the fallacy of mistaking sequels for consequences; the whole document, as critic and apologist alike can see, proves how completely he failed to read the significance of current events.¹ His personal attack on the cardinal is more difficult to estimate in detail. Part of it reads like pure malice; it was absurdly spiteful to drag in the question of succession to the crown in connexion with the meeting of the council at the cardinal's house. Gloucester had taken upon himself to summon the lords to his own house more than once. On other points, where evidence is now lacking, the duke has the advantage of having been left unanswered at the time. The cardinal met the manifesto with a silence that was more dignified than politic. Possibly there were some matters of business not easily explained or justified; a "pardon" was not a merely formal compliment. But there can be little doubt that in the main Beaufort was as honest as he was grasping.² A striking reply to one complaint of Gloucester's is

¹ Stubbs, iii, 129; Vickers, p. 263.

² Sir John Fortescue's opinion to the contrary (Plummer's *Fortescue*, p. 134) is not conclusive.

furnished by the fact that just before the presentation of this indictment to the King Beaufort had at the King's own request consented to extend from Easter to Martinmas the time-limit for the redemption of certain royal jewels pledged to him for a loan.¹

The charge of selling favour and patronage finds an echo in Hall's chronicle in the next century. Hall asserts that the bishop's cardinalate was "to his profit and the impoverishing of the spirituality." "By bull legatine, which he purchased at Rome, he gathered so much treasure that no man in manner had money but he, and so was he surnamed the rich Cardinal of Winchester."² The reference is probably to the sale of the "faculties" of a legate in 1427-1429, but it is doubtful whether in the absence of evidence any reliance can be placed on such vague language. The question of the sources of the cardinal's wealth is certainly an unsolved problem, but there is no reason to postulate wholesale merchandise of military or civil honours or ecclesiastical dispensations. The cardinal had the revenues of his see and the ordinary and extraordinary salaries attaching to the offices of councillor and chancellor; he lived apparently a frugal life apart from his politic outbursts of magnificence on the occasion of an embassy or an official reception; he invested his available resources in the great national commodity, English wool; he was, it seems, working rich silver mines in Devon and Cornwall; "probably he had a share in every good thing."³ He was the chief trustee of the Lancastrian family estates, perhaps also the trustee or banker of other estates and persons, and invested their property

The
Cardinal's
wealth.

¹ *Proceedings*, v, 115.

² Hall, p. 139.

³ Ramsay, ii, 79.

Gloucester's
protest
against the
release of
Orleans.

in trade or loans along with his own. Practically he was the great financier of his age.

Gloucester's attack upon his rivals failed. Henry VI even welcomed the promotion of the archbishop to the cardinalate early in 1440, and granted him permission to retain his see. Gloucester then turned from the men to their new policy, and fired his second shot. Early in June he issued a manifesto condemning the proposal to release the Duke of Orleans.¹ He dwelt upon the incapacity of the French King, and the certainty that the duke's abilities and his knowledge of English affairs would give him the first place at the French court. The English council must not count upon the dissensions of the French nobility or the chance of discord between Orleans and Burgundy. The duke was more likely to be the rallying point of all France, and would probably repudiate any oaths imposed upon him in England. Finally, the commandment of the late King must be kept. The council published a reply which doubtless was inspired by Beaufort as much as by the King.² They stated that the proposal to release the duke was the King's own intention, prompted by the desire for peace. His predecessors had failed to achieve the conquest of France; the present war was an intolerable strain on both the King's realms, and its continuance an iniquity; the French were willing to negotiate if the duke were himself included and employed in the negotiations; and the duke's own intention was for peace. The tone of the document was admirable, but its arguments were certainly inconclusive; the duke was yet an unascertained factor, and his action a matter of

¹ Ashmole MS. 856, pp. 405-412; Vickers, pp. 264-265.

² Stevenson, ii, 451-460.

“trust and hope.” The experiment was, however, worth making, and it was made. The agreement for the duke’s release was drawn up on July 2nd. His ransom—20,000 marks to be paid down and 30,000 to be paid within six months—was only half the ransom asked at Arras. Perhaps the other half was to be paid in services to be rendered in France. The duke was to be free for a year ; if successful in procuring peace he was to remain free and receive his ransom back ; otherwise he was to return into captivity. The release was a venture of faith, and not altogether an honourable faith, as the duke was sent back in the hope of fostering civil war in France. But it was not the whole of the cardinal’s policy. On the very day of this agreement the Duke of York was appointed lieutenant in France for five years. The cardinal and Gloucester were jointly responsible for the appointment ; it was a conciliatory step on the cardinal’s part in answer to the charge that he had “estranged” York from the council. Again, Gloucester had asserted in his protest against the duke’s release that England had only one ally in Europe, Portugal ; the cardinal proceeded to remedy this isolation by making treaties with Brittany and various German magnates.¹ Gloucester, however, was implacable ; when Orleans was sworn to loyalty in Westminster Abbey, on October 28th, Gloucester strode out at the beginning of the mass. Orleans left London for Calais on November 5th, and went straight to his benefactor Burgundy, abjured the blood-feud, and on the 26th married Burgundy’s niece, Mary of Cleves. Beaufort’s plan had succeeded so far. A further success had fallen to him in October. His nephew, Dorset, redeemed his reputation by

¹ Ramsay, ii, 26.

capturing Harfleur after a tough siege of six months.

Prosecution
of the
Duchess of
Gloucester.

Gloucester's indictment of Beaufort and Kemp was referred by the King to his council, "whereof," says Hall, "the most part were spiritual persons, so what for fear and what for favour the matter was winked at and dallied out and nothing said."¹ It was not forgotten. A year later the duke's enemies had their revenge. There is little doubt that the attack upon his wife, Eleanor Cobham, was intended to strike at his own reputation. She was accused of sorcery and treason. Her supposed accomplices were arrested first,—an Oxford priest and astrologer named Bolingbroke, and a canon of Westminster named Southwell. On July 23rd, 1441, Bolingbroke was compelled to abjure his suspicious practices in St. Paul's churchyard in the presence of Cardinal Beaufort, Archbishop Chichele, and three other bishops. The Duchess of Gloucester, recognising her danger, fled to the sanctuary at Westminster; but Bolingbroke's confession that he had cast her horoscope, probably with the idea of finding her chance of coming to the throne, led to her trial before the two cardinals and the Archbishop of Canterbury at St. Stephen's, Westminster, and she was remanded to Leeds Castle on a series of charges of witchcraft, heresy, and treason. A commission of lay peers found Bolingbroke and Southwell guilty of treason, and the duchess was pronounced accessory to their crime, along with the notorious Witch of Eye. Eleanor was herself examined in October by commissaries of the archbishop, who excused himself from attendance on grounds of health. She was accused of trying to effect the King's death by magical arts, and was

¹ Hall, p. 202.

condemned to do public penance bareheaded in the streets of London, and then dismissed to confinement for life in castle after castle. The witch was burned ; the priest-astrologer died a traitor's death. Gloucester, never a man of moral strength, submitted in sullen silence to the degradation of his wife and the ruin of his own influence. It was a merciless revenge, whoever planned it, and it did its work ; Gloucester played but little part in public affairs during the last five years of his life.¹

The discrediting of Gloucester in 1441 left the Beaufort party in command of the situation. At its head stood the cardinal, now sixty-six years of age or more, but still taking an active and frequent part in the business of the council, though more and more inclined or compelled to leave matters in the hands of his partisans. His nephews, John Earl of Somerset and Edmund Earl of Dorset, held high military commands. The chancellor, Bishop Stafford, was an old colleague ; the Cardinal of York was a close ally of his brother of Winchester ; and the Earl of Suffolk, a regular attendant at the council, was related to the Beauforts through his wife, Alice Chaucer, a grand-daughter of the poet. Long before this time the Beaufort party had been recognised as the peace party, and their policy was brought into greater relief by the agitation raised by Gloucester in 1440. It was not yet a popular policy. With a strange yet not uncommon inconsistency, the English nation clung obstinately to the war which it had long ceased to support vigorously. Gloucester's championship of the honour of the English crown still found a response, perhaps an increasing response, in a

Predomi-
nance
of the
Beaufort
party.

¹ Ramsay, ii, 31-35 ; Vickers, pp. 269-280.

Guienne
in danger.

“vicious, sturdy, unintelligent hatred”¹ of the idea of peace with France. For a time, indeed, the Beaufort party had little return to show for the sacrifice of their most valuable pawn, the Duke of Orleans. The secret correspondence of 1441 between the Dukes of Orleans, Alençon, Brittany and Burgundy came to no tangible result. Neither did the second effort of the duke. In March, 1442, there was a great meeting of discontented French lords at Nevers. They required Charles VII to grant redress of their grievances and to arrange a new conference with England, but they stopped short of applying force. Charles was still free to keep up his heavy pressure on Normandy and Guienne. The English had lost the whole of the Isle of France. Poitou and Guienne were invaded in force in 1442, and the Archbishop of Bordeaux hastened to England, and on August 21st pleaded the danger of his province before a full meeting of the council. Beaufort and Gloucester were both present. The danger in fact united both parties for a time. Next day an expedition and a loan were discussed. Gloucester consented to give personal security “as far as any man would take him” for part of the loan. The cardinal was willing but unable to lend money; he had none ready. So he offered to lend £4,000 worth of plate, though he insisted that if the “vessel” were melted down for coinage he must be repaid the cost of the “farceon” (*i.e.*, fashion, design) as well as the value of the metal.² Little, however, was done beyond sending scanty reinforcements to Bordeaux and proposing to appoint Somerset to command in Guienne. York in the autumn sent Talbot to besiege

¹ Stubbs, iii, 130.

² *Proceedings*, v, 198, 199.

The
Cardinal
and
national
finance.

Dieppe, but the siege failed for want of men. On October 7th and 8th the council once more authorised negotiations for peace, and advised the King to tell his ambassadors in any case to secure a truce, long or short. On the 12th the cardinal's financial instincts were roused by a petition from the merchants of the staple at Calais. They asked for an assignment of one mark out of the wool duties in repayment of their loans to the crown. All the councillors gave their consent but the cardinal. He protested on behalf of the persons holding claims already assigned on the subsidy in question: "so by this mean no man hereafter should trust none assignment"; and the treasurer supported the old financier's protest in favour of justice to prior creditors. The cardinal objected also to the merchants' request that they might be dispensed from a recent statute of January, 1442, requiring them to bring back a third part of the value of wools sold by them in bullion. He remarked that this would be to give the Flemings just what they wanted; the dispensation would lead to the practical abolition of the statute. The cardinal's effort thus to secure ready money for the English treasury failed; on the 18th the dispensation was granted in his absence on the report of the mayor of the staple that the Duke of Burgundy's prohibition of the Flemish merchants made it impossible to enforce the statute. On the same day the council had to arrange for security to be given to persons who had already responded to the King's appeal in August for a loan, and a messenger was sent to the cardinal to ask him what the King had decided about assigning security on the tenths and fifteenths and on the crown jewels.¹

¹ *Proceedings*, v, 215-221.

Question of
relieving
Normandy
or Guienne.

The safety of Guienne was still unsecured at the beginning of 1443. Meanwhile the French invasion had already ended a project of English diplomacy in that neighbourhood. At the suggestion of the Duke of Orleans, John Count of Armagnac had offered Henry VI one of his daughters. Envoys went out in July, 1442, to conclude the alliance ; but the count, willing as he was, dared not proceed further with his overlord of France in arms at his doors. The envoys broke off the negotiations and came back in January.¹ The rupture has been attributed to the promptings of Suffolk, who objected to the alliance because it was approved by Gloucester. It is more probable that the envoys simply returned to tell the tale of loss and danger in Gascony. The report of the envoys certainly seems to have brought the council to the point of action. On February 6th the council faced the question of the hour, viz., whether Guienne or Normandy should be reinforced first. The treasurer and chancellor and two bishops thought both should be relieved ; but if that were impossible, then the province that was in greater need. The Cardinal of York thought the King must be content to do what he could, and urged the King to write to the bishops "to stir them to prayer." "My lord Cardinal of England" said that the order of the sending of the two reliefs must be decided by the lords temporal, but he thought both must be taken in hand ; only before the appointment of the two armies the treasurer ought to state what funds were available. Gloucester agreed with the Cardinal of York, evidently intending to confine the relief to Normandy, where his partisan the Duke of York was still waiting

¹ Bekynton, ii, 206 foll. Bekynton was one of the envoys.

for men and means.¹ Beaufort's policy was the bolder and wiser, but the circumstances of its execution were indeed discreditable. It was marred by nepotism from the outset. His nephew Somerset was made a duke, and on March 30th was appointed captain-general of all France and Guienne, though his authority was distinctly confined to regions not under the actual control of the Duke of York. Dorset was made a marquis. The Duke of York was told, in language which implied censure of his own inaction, that the King had retained Somerset "to use most cruel and mortal war that he can and may"; it was thought "necessary that the manner and the conduct of the war be changed." He was merely consoled with the intimation that Somerset's expedition would be a "shield" to his own operations in Normandy, and that Somerset's command was limited in its practical range. Hardest of all, he was asked to wait patiently for the £20,000 due to him; the King would meet his obligations "as far as reason would," but Somerset's equipment was a "great charge."² The cardinal was not even just to York in the matter of finance. He was generous enough indeed in the amount of his own loans, perhaps out of pride in his nephew's promotion, perhaps out of gratitude for the "pardon" granted to himself in March for all penalties and fines which he might have incurred up to February 1st, 1443. Of the £13,500 drawn by Somerset for his first quarter's pay in April for his 4,200 men—the largest reinforcement sent out for many a year—£10,000 was lent by his uncle; another loan of £10,000 followed in June. The treasurer was still £8,000 short, and the cardinal advanced another

Expedition
of
Somerset.

¹ *Proceedings*, v, 223, 224.

² *Proceedings*, v, 259–263.

£1,000 to pay for ships to take Somerset's army across.¹ But he was in his rigidest mood over the signing of the agreement for the second £10,000. He refused to lend unless the letters patent agreed exactly with the minute of the council. Gloucester broke out into sarcastic comment after his uncle left the council chamber; they need not waste their time in reading and discussing the conditions. "Mine uncle saith plainly that he will lend no money unless he have it under the form."² There was no room for discussion. They could not send the men to Guienne without the cardinal's money. The first £10,000 was repaid in 1444, the second in 1445. In 1444 the Duke of York was paid £12,000 due to him for wages, but paid out of a loan borrowed from himself; and it was ten years before that loan was all repaid.

Somerset's
failure.

Somerset's expedition ended in failure and disgrace. Never an able soldier, he was unnerved by illness, and insisted on inserting in the articles of his commission in March, 1443, that he was being retained "to do his honest best," as though he had a foreboding of failure. After prolonged delays which drove the council to criticise and complain, he sailed in August not to Bordeaux, where he was wanted, but to Cherbourg, and wasted men and money in a fruitless raid into Anjou and Maine. The Duke of Brittany, at least a nominal friend of England, wrote to the council to complain that he had been compelled to buy Somerset out of his own territory; and the council on December 12th advised the King to enclose the duke's letter in a despatch to Somerset and to require him to make restitution for this outrage. On the 13th Lord Sudeley, the "wardrober," was sent

¹ Ramsay, ii, 50, 53 n. 5.

² *Proceedings*, v, 279, 280.

to notify this decision to the cardinal, who had now retired from the council ; and the cardinal sent back word that " him seemed the said advisements good." ¹ It must have been a bitter confession for the old statesman, who had probably justified his nepotism to himself by a fond belief in his nephew's ability and discretion. Somerset had finally to fall back into Normandy and seek a rallying-point with his rival of York at Rouen. He returned to England invalided, and died in May, 1444, in his fortieth year.

¹ *Proceedings*, vi, 18, 19 ; for Brittany's complaint, see vi, 11-13.

CHAPTER XIV

THE PASSING OF THE CARDINAL 1444-1447

The Earl of Suffolk. FOUR days after Somerset's death the wardship and marriage of his three-year-old daughter and heiress, Margaret Beaufort, were given to Suffolk for nothing. It was rumoured that this remarkable favour pointed to an intention to marry the child to Suffolk's son, John de la Pole.¹ Both the favour and the rumour were proof of the closeness of the association between Suffolk and the Beaufort party. Suffolk was in fact the practical head of the party, or shared its headship with Edmund Beaufort, Marquis of Dorset. The party was more predominant than ever. The King, who came of age in December, 1442, was happier in problems of churchmanship and of education than in military or diplomatic affairs. The Cardinal of York had indeed begun to fall away somewhat from the Beaufort party, perhaps in jealousy of Suffolk's increasing influence or in suspicion of his policy ; but

¹ In spite of Henry IV's attempt in 1407 to exclude the Beauforts from the succession, their blood flowed eventually back into the royal line. The little Margaret, whether married first or not married to John de la Pole, became the wife of Edmund Tudor (son of Katharine, widow of Henry V, by her second husband, Owen Tudor), the mother of Henry of Richmond, afterwards Henry VII, and the ancestress of all the Tudor sovereigns of England. She was six years old when her great-uncle the cardinal died in 1447 ; and in 1492 she succeeded at last in establishing her title to certain manors in Wiltshire and Somersetshire which he had purchased from Henry VI and which had been claimed and held by the Countess of Salisbury under the Yorkist sovereigns. See Cooper's *The Lady Margaret* (ed. Mayor), pp. 2-8, 51.

Bishop Stafford was still chancellor, though he had succeeded to the Archbishopric of Canterbury after the death of Chichele in April, 1443. The old Cardinal of England, however, was no longer prominent in affairs of state. His last recorded attendance at the privy council was in June, 1443. He was a trier of petitions in the parliament of January, 1442, but his name is absent from the roll of the next parliament, which met in March, 1445. The cathedral city of Winchester was at last in possession of its bishop ; he had come to spend his last days in the diocese which for forty years he had willingly sacrificed to the claims of his King and country.

**Retirement
of the
Cardinal.**

After the failure of Somerset's expedition the council had no alternative but to open negotiations again with France. The demand for a long truce was waived in the desire to secure a truce of any duration ; and the surrender of the French title, which the Cardinal of England was prepared in the last resort to make in 1439, was now contemplated in earnest as the only way of retaining what the council determined to demand, namely, Normandy, Guienne, and Maine. The project of an Armagnac marriage which Gloucester had favoured was replaced by the proposal of a marriage with a niece of the French King, Margaret of Anjou, daughter of René, titular King of Naples, Sicily, and Jerusalem, a practically landless and penniless sovereign, and a former enemy of Burgundy. This new alliance was suggested by the Duke of Orleans, and the English council was content perforce to retain his support by accepting his suggestion. Suffolk, who was entrusted with the negotiations in February, 1444, had grave doubts or fears of his mission. He pleaded that his intimacy with the Duke of Orleans, once his prisoner, made

**The French
marriage.**

Surrender
of Maine.

him an object of suspicion at home ; and his reference to " language sown " against him in London indicates that the marriage was unpopular or that the nation was afraid of the possible concessions involved.¹ Gloucester, though silent at the council, was not innocent of agitation in the city. The King overruled Suffolk's objections, and granted him an indemnity against any charge that might be brought against any of his proceedings in the matter of the embassy. The indemnity was no superfluous precaution. The French stood out for homage for Normandy and Guienne ; and Suffolk came home from the betrothal of Margaret at Tours in May with nothing more to show than a truce with France for two years and, by way of dower, an empty claim of René to a kingdom in Spain. Probably he hoped that the truce would grow to more in the process of later negotiation ; but the sequel was to bring disgrace as well as defeat. Suffolk, now made a marquis for his services, went back to fetch the bride. The French pressed this time for the surrender of Normandy and Maine in return for some additions to Guienne. Afraid of losing even the marriage, Suffolk in a moment of weakness secretly promised to concede Maine. He brought back the young Queen in April ; the concession of Maine he seems to have kept still secret in the hope that it might be made independently in the course of the negotiations with a French embassy which was to follow him to London. The embassy came in July, but the only result was a slight prolongation of the truce. The journal of the French embassy reveals Suffolk plausible and confident, the King gracious to the point of imbecility. The Cardinal of York was present at most of the conferences.

¹ *Proceedings*, vi, 32.

Beaufort appears once, but in the background. On July 21st the envoys of France and Brittany "went to visit the Cardinal of England who had arrived" in London, "and made their reverence to him, and he spoke good words of peace to them."¹ The marriage and the prospect of peace were the triumph of his policy; his influence was betokened by the fact that a precious jewel of his was set in the Queen's betrothal ring; of the surrender of Maine, however, he was probably innocent and ignorant. That surrender lay between Suffolk and the King. The King's personal desire for peace at any cost had been an increasingly important factor in the situation, and the Queen also was now working in the interests of her family and kindred in France. In December the King signed an agreement to surrender Maine to René on behalf of Charles VII, without any reference to the secret undertaking of Suffolk; and in April, 1446, parliament, after repealing the clause in the Treaty of Troyes which forbade peace without the consent of the estates of both realms, was told by the chancellor on behalf of the lords that the peace was the King's own original idea and wish. The whole question is a tangled affair. Suffolk may have been either playing for his own predominance at court or, on the contrary, sacrificing his reputation in the prosecution of a policy which the country at once needed and hated. The responsibility for the last concessions may have rested with the King or it may have been put upon the King. It certainly did not rest with Beaufort. It was one thing to abandon a hopeless claim to the crown of France; it was another thing to give away an ancient possession of the English crown. Private interest, too, would forbid

¹ Stevenson, i, 137, 138,

the sacrifice ; Maine had been granted to his nephew, Dorset, for life in April, 1443. The year 1446 was marked by a further concession, the surrender of all ecclesiastical revenues in Normandy claimed by French subjects. This concession was Suffolk's own ; and it left Normandy practically an empty name.

Death of
Gloucester.

The next year saw the end of the two great rivals who stood now in the background, Beaufort in diocesan retirement, Gloucester in silent but not silenced opposition. The story of Gloucester's tragic end is sooner told than explained. Plans were laid for his impeachment in the parliament which was to meet at Bury St. Edmund's on February 10th, 1447. On the 18th he arrived with an imprudent display of armed retinue, and was promptly arrested. On the 23rd he died. The circumstances of his death were undoubtedly suspicious, but contemporary friends made no accusation of murder. On the other hand, there is little doubt that Suffolk and the Queen were bent upon crushing, if not upon removing, the one man who would be certain to make scandal of the loss of Maine ; and it is probable that it was only his timely death under the shock of his arrest which saved him from judicial murder. His old antagonist can scarcely be even suspected of having had a hand in his death, or even in his prosecution. "The cardinal had nothing to fear from him and nothing to gain by his death."¹ Such complicity would have been at once a crime and a blunder, a mere wantonness of revenge, and a mad imperilling of the house of Lancaster and of the Beaufort interest which was bound up with that house.

¹ *Church Qu. Review*, xii, 391. On the circumstances of Gloucester's death see Stubbs, iii, 141, 142 ; Ramsay, ii, 75, 76 ; Vickers, pp. 295-305.

Death of
Beaufort.

Six weeks later, on April 11th, came the passing of the cardinal himself. Nothing in his whole life has been more maligned than the manner of its end. A century later Hall raked up a story attributed to Dr. John Baker, "his privy councillor and his chaplain." According to this tale the cardinal as he lay dying lamented the failure of his ambition and the uselessness of all his wealth. "Why should I die, having so much riches? If the whole realm would save my life, I am able either by policy to get it, or by riches to buy it. Fye, will not death be hired, nor will money do nothing? When my nephew of Bedford died, I thought myself half up the wheel, but when I saw mine other nephew of Gloucester deceased, then I thought myself able to be equal with kings, and so thought to increase my treasure in hope to have worn a triple crown. But I see now the world faileth me, and so I am deceived, praying you all to pray for me."¹ The thoughts attributed to Beaufort after Gloucester's death are sufficient to discredit the entire saying. But Shakespeare lent his genius to a yet worse misrepresentation of the cardinal. Readers of *Henry the Sixth* will scarcely need reminding of the scene of "black despair," in which the cardinal passes away in an agony of remorse for the murder of Gloucester, unable to give the King at his bedside even a dumb sign of any conscious hope of forgiveness.² Far different indeed is the simple tale of an eye-witness preserved in the chronicle of the monastery of Croyland.³ There we read how the cardinal, as the end drew near, summoned the clerks of the neighbourhood, both secular

¹ Hall, pp. 210, 211.

² *Henry the Sixth*, Part II, Act iii, Scene 3.

³ Gale, *Hist. Croyland. Contin.*, p. 516.

and regular, to the great hall of his palace of Wolvesey at Winchester. It was the day before Palm Sunday. Lying there on his couch, he had the burial service and the requiem mass said in his presence ; in the evening his will was read before his household, and he added the second and last codicil. Next morning the Prior of St. Swithin's celebrated mass for him ; his will was read once more, and he confirmed it with an audible voice, and then said good-bye to them all, and so passed away.

Character
of Beaufort.

Hall remarked a century later that Beaufort was "surnamed the rich Cardinal of Winchester and neither called learned bishop nor virtuous priest."¹ Of his virtue we know nothing beyond the two facts that he had a child born to him in his early manhood, and that, on the other hand, no scandal was breathed against him in later days when any known departure from the path of morality would have given his enemies a welcome opportunity of attack. Probably he was not a man of piety in any deep sense ; certainly he seems to have lived a sober and clean life as a bishop. Of his learning we know but little, and that disappointing. Gloucester was both a student and a generous friend of students ; Beaufort was neither. At the Council of Constance he met the famous humanist, Poggio Bracciolini, then acting as a secretary in the papal service, and busily engaged in his faithful search for lost classics, and in a moment of literary enthusiasm invited him to England. Poggio found but little happiness in England. Prelates and nobles who invited him to dinner sat at table for hours till the poor scholar had to get up and bathe his eyes in cold water to prevent his falling asleep. The few men of learning whose acquaintance he made were

Scanty
patronage
of letters.

¹ Hall, p. 139.

more dialectical than deep. The few libraries that he visited yielded not a single discovery in the way of classical manuscripts. Meanwhile, the bishop's interest in literature waned or was crowded out, and the scholar's hope of a benefice that would give him funds and leisure for study was rewarded first by the gift of a parish church worth but 120 florins, and then by a richer benefice which brought with it a cure of souls and necessitated the surrender of his former preferment. In 1422 Poggio went back to Italy, and his connexion with his disappointing patron ended in the exchange of a few friendly letters. He corresponded for years with two of the cardinal's household, Nicholas Bildeston, doctor of law, afterwards Archdeacon of Winchester, and Richard Pettworth, master of arts, both of whom employed Poggio to buy them Italian books.¹ But the cardinal took no active part in the English revival of letters. The masters of Oxford appealed to him in 1424 to intervene in defence of the judicial privileges of the university; but they appealed to him in virtue of his position at the privy council, as they appealed to the primate and to the council itself. The only special feature of their letter to the bishop was that they referred to the "philosophical saying" that "novelty is full of danger where antiquity is not itself at fault."² Bedford and Chichele in their life-time and Thomas Beaufort, Duke of Exeter, by his will endowed "chests" for purposes of scholarship at Oxford; but the only enrichment of study out of the cardinal's wealth came from his executors, who made a grant

¹ Shepherd, *Life of Poggio*, pp. 124, 136; Voigt, *Wiederbelebung des classischen Alterthums*, ii, 253-256.

² Anstey, *Epistolae Academicæ Oxon.*, i, 14, "novitas plura parit pericula ubi antiquitas non peccavit."

of 500 marks towards the building of the divinity schools out of the money left to their discretion.¹ Canterbury was more fortunate. There the cardinal himself helped to build and stock the chapter library.²

His bene-
factions.

Hall was, however, wrong in hinting that the cardinal was as ungenerous as he was rich. His benefactions during the latter part of his life were large. He obtained a licence to unite the impoverished hospital of Sandon to the hospital of St. Thomas in Southwark. He gave £1,000 to the rebuilding of London Bridge. At Winchester he spent still more liberally. His arms in the vaulting of the nave of the cathedral bear witness to his share in that conversion of the old Norman work into perpendicular Gothic which had been begun by his predecessor, William Wykeham. He erected a marble shrine behind the feretory with an ivory casket to contain the relics of St. Swithin. He gave a silver statue of the Virgin for the high altar. He enriched the chief street of the city with a beautiful cross. The stone effigy of a cardinal which rests on his tomb dates from the time of Charles II; but the chantry chapel in which the tomb lies was itself his work as well as his monument.³

Hospital of
St. Cross.

But it was upon the hospital of St. Cross that the bishop lavished his best. The old foundation of Bishop Henry of Blois in the twelfth century was a home for "brethren" of the poorest class. Bishop Henry of Beaufort in the fifteenth added a new

¹ Maxwell Lyte, *Hist. of Univ. of Oxford*, pp. 317, 323; Anstey, *Munimenta Academica*, i, 333; ii, 567. The auditors reported in 1453 that the sum had been all expended but 50s. 4d., *Mun. Acad.*, ii, 735, 736.

² Voigt, ii, 254.

³ It was once more exquisitely beautiful even than it is now. Britton, the antiquary, noted a century ago "that a horse load of the pinnacles in the canopy had fallen down."

foundation to be called "the almshouse of noble poverty," consisting of two chaplain-priests, thirty-five brethren, and three nursing-sisters, the brethren to be "noblemen or members of our family," gentlemen brought to poverty or grown old in his service. It was a thoughtful as well as a generous endowment. Unfortunately, some of the manors which were to revert to the new foundation went astray in the wars of the Roses, and others were reclaimed by the crown in 1461 on the accession of the house of York; and in 1486 Bishop Waynflete reduced the Beaufort foundation to one priest and two brethren.¹ Under the scheme of 1901 nine of the twenty-seven sets of rooms are reserved for brethren of "the almshouse of noble poverty," the rest for the brethren of the original hospital of St. Cross. Visitors are still shown the cardinal's chair, his wooden candlesticks and salt-cellars, his pewter dish, the tall chimneys which he added to the old hospital in 1420, and the noble tower of his own restoration, on which his statue still remains. "In the centre was the Virgin, and by her side the cardinal; but we observe that though he is on his knees, he is too grand to take off his hat to her."²

The cardinal's will, dated January 20th, 1447, is still extant.³ His chief executors were his old associate, Cardinal Kemp of York, and his nephew, the Marquis of Dorset; but his kinsfolk received but little of his wealth. Ample provision was made for masses to be said at Winchester, Canterbury, and elsewhere, in remembrance of himself, his father and mother, his sovereigns (Henry IV and Henry V, but not

Last will
and
testament.

¹ Godwin, *de Praesulibus*, p. 242; Warren, *St. Cross Hospital*, p. 83.

² L'Estrange, *Royal Winchester*, p. 247.

³ Nichols, *Royal Wills*, pp. 321-341; *Testamenta Vetusta*, pp. 249-251.

Richard II), Bedford, his brothers and sister ; but his funeral was not to be too pompous. He bequeathed £400 to prisoners in London and in his manor of Southwark "for their liberation," 2,000 marks to his poor tenants in seven counties, gold and plate to his daughter Johanna, and gifts to various servants and clerks. To the King he left "a tablet with relics which is called the tablet of Bourbon,¹ and a cup of gold with an ewer which belonged to the illustrious prince his father, and offered by him on Easter eve, and out of which cup he usually drank and for the last time drank, humbly praying him to aid my executors in whatever can tend to the good of my soul, as God knoweth I have always been faithful and zealous to him in all which related to his prosperity, wishing to effect whatever could tend to his welfare in soul and body." The residue of his goods were to "be applied to works of charity and pious uses according to the discretions and consciences of the executors, such as relieving poor religious houses, marrying poor maidens, succouring the poor and needy, and in other similar works of piety such as they may most deem will tend to the health of my soul." The records of Lincoln College, Exeter College, St. Paul's Cathedral, the Dean and Chapter of Wells, all show bequests of money or ornaments received from the executors under this discretionary clause.² An interesting trace of this clause is found in a letter of Queen Margaret in 1448 asking the

¹ For particulars of this tablet, see *Excerpta Historica*, pp. 43, 46, 47. It was perhaps pledged to Beaufort for a loan, and never redeemed.

² For Lincoln College, see *Hist. MSS. Commission*, 1st Report, ii, 131, 132 ; for Exeter, Maxwell Lyte, p. 318 ; for St. Paul's, *Hist. MSS. Comm.*, 8th Report, 635 b, and 9th Report, i, 54 ; for Wells, 10th Report, iii, 201, 278.

executors "at reverence of us and for the merit of our uncle's soul" to make a grant to a young man and his sweetheart recommended by a yeoman of the guard as "poor creatures and of virtuous conversation purposing to live under the law of God in the order of wedlock."¹

The first codicil (April 7th) contained bequests of £1,000 to the prior and convent of Christ Church, Canterbury, and £200 to "the Church of Lincoln," both bequests for "the work and fabric" on condition of remembering the donor's obit; £100 for Richard Pettworth, an old servant; plate for the King, and an instruction to give the King a year to redeem crown jewels pledged for the repayment of the cardinal's loans. The second codicil contained a gift of tapestry for the Queen, gifts and remissions of debts to Lord Tiptoft and Archbishop Stafford, and various small presents to the cardinal's nephew, William Swynford, Thomas Burneby, a page of the Queen, and Sir Edward Stradling, husband of the cardinal's daughter Johanna or Joan.

The Beaufort of Shakespeare's *Henry VI* has scarcely a single merit to redeem his faults. Gloucester styles him "scarlet hypocrite,"

Beaufort
(1) as a man

Lascivious, wanton, more than well beseems
A man of thy profession and degree.

Salisbury, his nephew by marriage, accuses him of swearing "like a ruffian,"

More like a soldier than a man o' the Church.

Somerset, his own brother's son, declares that

His insolence is more intolerable
Than all the princes in the land beside.

¹ *Letters of Queen Margaret* (Camden Soc. No. 86, 1863), p. 102.

"The haughty cardinal," "proud prelate," "imperious churchman," such are the constant epithets by which he is identified. The dramatist is here little more than a vivid elaborator of Hall, who described the cardinal concisely as "more noble in blood than notable in learning, haut in stomach and high in countenance, rich above measure of all men, and to few liberal, disdainful to his kin and dreadful to his lovers, preferring money before friendship, many things beginning and nothing performing."¹ Behind the chronicler lies the unwritten Yorkist version of the character of the sturdy Lancastrian who blocked the path of the rival house, and, further back still, the last tirade of Gloucester in 1440, left unanswered and taken too readily as unanswerable. It is little wonder that Beaufort's memory has lain under a cloud for more than two centuries and a half.

The cardinal's personal character it is neither easy nor important to judge at this distance. His staunchest modern admirer must frankly admit "that he was ambitious, secular, little troubled with scruples, apt to make religious persecution a substitute for religious life and conversation; that he was imperious, impatient of control, ostentatious, and greedy of honour."² If it is mere imagination to speak of "arrogant Winchester" as one

Whom Henry our late sovereign ne'er could brook,
it is simple truth to say that little or no trace has survived of any such affection for the cardinal as a Bedford could command and a Gloucester could win. The only touch of personal sympathy lies in the refusal of Henry VI to accept a gift from the cardinal's executors: "My uncle was very dear to me, and did

¹ Hall, p. 210.

² Stubbs, iii, 143.

much kindness to me while he lived ; the Lord reward him. But do ye with his goods as ye are bounden ; I will not take them.”¹ The cardinal awakened more admiration than respect, more fear than love. Under Henry IV and Henry VI, if not under Henry V, he had to fight for his position or his policy. A political poem written about 1449 imagines the dead cardinal as saying

I closid we have our welevette hatte
That kev'yd us from mony stormys brew'n.²

Neither was he “merciful in his political enmities,” to judge from his attitude towards Gloucester.

It is, however, by his merits as a statesman that he deserves to stand or fall. Little of a student, something of a sportsman,³ more of a soldier, he was above all a statesman.⁴ The gratitude of Henry VI scarcely proves that Beaufort was as “ready to sacrifice his wealth” as he was to expend his “labour for the King”;⁵ but even Hall, prejudiced though he was, had to acknowledge that the cardinal was “a great stay to the King and the realm.” For nearly half a century his activity was one main thread of English history. During the first half of that period he was largely concerned as chancellor or councillor in “the great Lancastrian experiment” of constitutional monarchy, which had come so near achieving complete success when it was shattered by the premature death of Henry the Fifth. The infancy of Henry

(2) as a statesman.

¹ Blakman, *De virtutibus Henrici VI*, p. 294.

² *Excerpta Hist.*, p. 161.

³ While he was facing the first parliament of his chancellorship in 1404, he sent two gentlemen to Ireland to purchase fourteen goshawks and terceletts, *Pat. Roll.*, Henr. iv, 1404. It is an interesting reminiscence of his brief visit to Ireland in 1399.

⁴ For an estimate of his churchmanship see pp. 189, 190.

⁵ Stubbs, iii, 144.

the Sixth brought the problem of a regency. Beaufort's solution of the problem was the strict enforcement of the supremacy of the council. It is fair to argue that this was the wrong solution at a time when national disorder demanded the practical monarchy of a regent.¹ Even here an apologist of Beaufort might fairly urge that when Gloucester was the only available regent, the divided authority of the council was a less evil than the unrestricted power of such an uncertain member of the royal house. Yet it would scarcely be fair to dismiss Beaufort's attitude at this crisis as a "constitutional pose."² In insisting on the supremacy of the council, he was not merely fighting for a place for himself beside or against Gloucester; he was honestly endeavouring to keep the balance of power until the child-King could come to his own. It was unfortunate for England that the problem of government was complicated by personal issues. It was unfortunate for Beaufort that his public services during this period were involved with private interests which threw doubt upon the sincerity of his statesmanship. The difficulty of the problem in England is illustrated by the fact that Bedford, who was pressed into undertaking the task in 1433, relinquished the burden with undisguised relief in six months. Upon Beaufort fell the brunt of the difficulties at home, and after Bedford's death in 1435 the chief responsibility of the problem in France. He felt keenly the failure which a poorer statesman would not have recognised. The fragmentary inscription upon his tomb,

Tribularer si nescirem misericordias tuas
("I should be in anguish, did I not know thy mercies"),

¹ *E.g.*, Vickers, p. 209.

² Vickers, p. 308, cp. p. 118.

was not the despairing cry of a belated penitent ; it was the pathetic confession of a strong man who had striven hard, sometimes mistakenly, but in the main honestly, to do the best for his King and country, and had striven in vain. The dynasty which he had worked to guide and secure was trembling on the verge of civil war. The cardinalate which he had welcomed, partly as a stepping-stone for his own advancement, partly as a footing for his efforts in the cause of England, had proved to be neither. His own career as a possible candidate for the Papacy he had ruined on the day when he put the needs of his countrymen in France before the claims of a papal crusade in Bohemia. His connexion with Rome awakened suspicion in England when he most needed support ; and all the force of his character had to be expended in carrying through a policy of peace involving surrender while the nation was still bent upon the prosecution of the war which had once been his own main purpose. Again and again he lived to lose what he had won or to undo what he had achieved. Circumstances proved too strong for a strong man who fell short of being a great man. With a Gloucester working recklessly for his own hand, with a young King who remained a child in years of manhood, neither victory abroad nor peace at home was possible. Bedford was taken away from the evil to come. Beaufort remained to make a brave effort for the honour and welfare of crown and realm, and to see both imperilled by forces beyond his control. It is only in our own day that history has gone behind the pathos of his end to recognise the value of his work.

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